

EXHIBIT

16

1
2 UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
3 No. 2:14-cv-01770-JLL-JAD
BANK OF HOPE, as successor to)
4 Wilshire Bank,)
Plaintiff,)
5 vs.)
MIYE CHON, a/k/a Karen Chon;)
6 SUK JOON RYU, a/k/a James S.)
Ryu; TAE JONG KIM; BERGENFIELD)
7 BAGEL & CAFÉ INC., d/b/a Café)
Clair; MAYWOOD BAGEL INC.;)
8 UB'S PIZZA & BAGEL INC.; UB'S)
BAGEL & CAFÉ INC.; and UBK)
9 BAGELS CORP., d/b/a Franklin)
Bagels & Café,)
10 Defendants.)
-----)
11 SUK JOON RYU, a/k/a James S.)
Ryu,)
12 Counterclaim-Plaintiff,)
vs.)
13 BANK OF HOPE, as successor to)
Wilshire Bank,)
14 Counterclaim-Defendant.)
-----)
15 SUK JOON RYU, a/k/a James S.)
Ryu,)
16 Third-Party Plaintiff,)
vs.)
17 KWON HO JUNG, JAE WHAN YOO,)
STEVEN S. KOH, and LISA PAI,)
18 Third-Party Defendants.)
-----) Start Time: 10:27 a.m.
19 SUK JOON RYU, a/k/a James S.) End Time: 5:01 p.m.
Ryu,)
20 Cross-Claim Plaintiff,)
vs.) Deposition of:
21 MIYE CHON, a/k/a Karen Chon;) Frank Gleeson
TAE JONG KIM; BERGENFIELD)
22 BAGEL & CAFÉ INC., d/b/a Café) Wednesday,
Clair; MAYWOOD BAGEL) December 20, 2017
23 INC.; UB'S PIZZA & BAGEL INC.;)
UB'S BAGEL & CAFÉ INC.; and) Reported by:
24 UBK BAGELS CORP., d/b/a) Lisa M. Muraco
Franklin Bagels & Café,) Job# 134438
25 Cross-Claim Defendants.)

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2 Deposition of FRANK GLEESON, held at the
3 offices of LEE ANAV CHUNG WHITE KIM RUGER &
4 RICHTER LLP, 156 Fifth Avenue, New York, New
5 York, at 10:27 a.m. before Lisa M. Muraco, a Notary
6 Public of the State of New York and New Jersey.
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2 A P P E A R A N C E S:
3 LEE ANAV CHUNG WHITE KIM RUGER & RICHTER
4 Attorneys for Plaintiff-Counterclaim
5 Defendant, Bank of Hope, as successor to
6 Wilshire Bank, and
7 Third-Party Counterclaim Defendants,
8 Kwon Ho Jung and Lisa Pai
9 99 Madison Avenue
10 New York, New York 10016
11 BY: MICHAEL YI, ESQ.
12 DOHEE KIM, ESQ.
13
14 STEVE HARVEY LAW
15 Attorneys for Defendant-Counterclaim
16 Plaintiff, Third-Party Counterclaim
17 Plaintiff, Cross-Claim Plaintiff
18 Suk Joon Ryu, a/k/a James S. Ryu
19 1880 John F. Kennedy Boulevard
20 Philadelphia, Pennsylvania 19103
21 BY: DAVID DZARA, ESQ.
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23
24
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1
2 IT IS HEREBY STIPULATED AND AGREED
3 by and between the attorneys for the
4 respective parties herein, that filing and
5 sealing be and the same are hereby waived.
6 IT IS FURTHER STIPULATED AND AGREED
7 that all objections, except as to the form
8 of the question, shall be reserved to the
9 time of the trial.
10 IT IS FURTHER STIPULATED AND AGREED
11 that the within deposition may be sworn to
12 and signed before any officer authorized
13 to administer an oath, with the same
14 force and effect as if signed and sworn to
15 before the Court.
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1 F. Gleeson
2 F R A N K G L E E S O N,
3 called as a witness, having been duly sworn
4 by a Notary Public, was examined and
5 testified as follows:
6 EXAMINATION BY
7 MR. YI:
8 Q. State your name for the record,
9 please.
10 A. Frank J. Gleeson.
11 Q. Good morning, Mr. Gleeson.
12 A. Good morning.
13 Q. Does your middle initial J stand for
14 a name?
15 A. Joseph.
16 Q. Just a few preliminary items, I just
17 want to make sure that you are able testify at
18 your deposition today and that nothing would
19 impair your ability to do that.
20 A. Okay.
21 Q. Have you consumed anything, such as
22 medication or any kind of alcoholic beverage,
23 that would affect your ability to testify
24 accurately and truthfully today?
25 A. No.

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1 F. Gleeson

2 Q. Is there anything else that you
3 believe may affect your ability to testify
4 accurately and truthfully today?

5 A. No.

6 Q. Okay. You understand that, even
7 though we are in a law office and not in a
8 court of law, this is a sworn testimony and
9 that you are testifying under oath as if you
10 were in court before either a judge or a jury?

11 A. I understand.

12 MR. YI: I would like to have this
13 marked as Exhibit 1 at this time.

14 (Gleeson Exhibit 1, subpoena, marked
15 for identification.)

16 BY MR. YI:

17 Q. I'm showing you what's been marked
18 as Exhibit 1 to your deposition and I will
19 represent to you that this is a copy of a
20 document called Subpoena to Testify in a
21 Deposition in a Civil Action and the date of
22 this subpoena is September 27, 2017.

23 Is this a copy of the subpoena that
24 you received sometime prior to today?

25 A. Yes.

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1 F. Gleeson

2 Q. Just for the record, this deposition
3 is being taken pursuant to this notice --
4 pursuant to this subpoena dated
5 September 27, 2017. Thank you.

6 MR. YI: Can I have this marked as
7 Exhibit 2?

8 (Gleeson Exhibit 2, subpoena to
9 produce documents, marked for
10 identification.)

11 BY MR. YI:

12 Q. Before we get to Exhibit 2, are you
13 represented by counsel today in connection with
14 your deposition?

15 A. No.

16 Q. Okay. I know that Mr. Dzara is
17 sitting to your left; he represents the
18 defendant in this case, also a counter-claim
19 plaintiff, Mr. Ryu, R-y-u.

20 He's not representing you in
21 connection with this deposition?

22 A. Correct.

23 Q. All right. I would like you to take
24 a look at what's been marked Exhibit 2 to your
25 deposition, which is a copy of a document

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1 F. Gleeson

2 called Subpoena to Produce Documents,
3 Information or Objects or to Permit Inspection
4 of Premises in a Civil Action and this subpoena
5 is dated October 10, 2017.

6 Is this a copy of the subpoena that
7 you received sometime prior to today?

8 (Witness complies.)

9 A. Okay.

10 Q. I'm going to ask you to turn to
11 page 3 of this document. It has a heading
12 Document Request.

13 MR. DZARA: Page 3 of the schedule.

14 A. Got it.

15 Q. Is it fair to say that prior to
16 today or even this morning, you have not
17 produced any documents to us in response to
18 this subpoena?

19 A. Yes, that's correct.

20 Q. So I would like to just go through
21 each one, if that's okay.

22 Number one, all documents that
23 reflect or concern any efforts or assistance by
24 you to obtain any loans for Ryu, Ryu being the
25 defendant in this case.

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1 F. Gleeson

2 Well, let's refer to him as
3 James Ryu and I'll represent to you that his
4 full legal name is Suk Joon Ryu.

5 Is it your testimony that you do not
6 have any documents that are responsive to this
7 request?

8 A. Correct.

9 Q. Number two, all documents that
10 reflect or concern communications between you
11 and James Ryu concerning any efforts or
12 assistance by you to obtain any loans for Ryu.

13 Is it your testimony that you do not
14 have any documents that are responsive to this
15 request?

16 A. Yes.

17 Q. Three, all documents that reflect or
18 concern communications between you and any
19 other person or persons concerning any efforts
20 or assistance by you to obtain any loans for
21 Ryu.

22 Is it your testimony that you do not
23 have any documents that are responsive to this
24 request?

25 A. Yes.

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1 F. Gleeson
 2 Q. Four, all documents that reflect or
 3 concern any loans made between you and
 4 James Ryu.
 5 Is it your testimony that you do not
 6 have any documents that are responsive to this
 7 request?
 8 A. Yes.
 9 Q. Five, all documents that reflect or
 10 concern communications between you and
 11 James Ryu concerning any loans made between you
 12 and James Ryu.
 13 Is it your testimony that you do not
 14 have any documents that are responsive to this
 15 request?
 16 A. Yes.
 17 Q. Six, all documents that reflect or
 18 concern communications between you and any
 19 other person concerning any loans made between
 20 you and James Ryu.
 21 Is it your testimony that you do not
 22 have any documents that are responsive to this
 23 request?
 24 A. Yes.
 25 Q. Seven, all documents that reflect or

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1 F. Gleeson
 2 concern any loans made by James Ryu by any
 3 other person or entity including, but not
 4 limited to, Mike Kim, Kore Consulting LLC, Kore
 5 LLC, Soyu Architecture, SilkRoad, Inc.,
 6 BankAsiana -- one word -- Chon, which stands
 7 for Karen Chon or Miye Chon who is also a
 8 defendant in this case, Irene Lee, and/or
 9 Hong Sik Hur.
 10 Is it your testimony that you do not
 11 have any documents that are responsive to this
 12 request?
 13 A. Yes.
 14 Q. Eight, all documents that reflect or
 15 concern communications between you and
 16 James Ryu concerning any loans made to
 17 James Ryu by any other person or entity,
 18 including but not limited to, Michael Kim, Kore
 19 Consulting LLC, Kore LLC, Soyu Architecture,
 20 SilkRoad, Inc., BankAsiana, Karen Chon,
 21 Irene Lee, and/or Hong Sik Hur.
 22 Is it your testimony that you do not
 23 have any documents responsive to this request?
 24 A. Yes.
 25 Q. Number nine, all documents that

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1 F. Gleeson
 2 reflect or concern communications between you
 3 and any other person concerning any loans made
 4 by James Ryu by any other person or entity,
 5 including but not limited to, Michael Kim, Kore
 6 Consulting LLC, Kore LLC, Soyu Architecture,
 7 SilkRoad, Inc., BankAsiana, Karen Chon,
 8 Irene Lee, and/or Hung Sik Hur.
 9 Is it your testimony that you do not
 10 have any documents responsive to this request?
 11 A. Yes.
 12 Q. Number ten, all documents that
 13 reflect or concern Seleste, S-e-l-e-s-t-e, aka
 14 Kudo Beans, K-u-d-o, a cafe located at 1550
 15 Lemoine Avenue, Fort Lee, New Jersey.
 16 Is it your testimony that you do not
 17 have any documents responsive to this request?
 18 A. Yes.
 19 Q. Eleven, all documents that reflect
 20 or concern communications between you and
 21 James Ryu concerning Seleste.
 22 Is it your testimony that you do not
 23 have any documents responsive to this request?
 24 A. Yes.
 25 Q. Twelve, all documents that reflect

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1 F. Gleeson
 2 or concern communications between you and any
 3 other person concerning Seleste.
 4 Is it your testimony that you do not
 5 have any documents responsive to this request?
 6 A. Yes.
 7 Q. Thirteen, all documents that reflect
 8 or concern Luz, L-u-z, a hair salon located at
 9 725 River Road, Edgewater, New Jersey.
 10 Is it your testimony that you do not
 11 have any documents responsive to this request?
 12 A. Yes.
 13 Q. Fourteen, all documents that reflect
 14 or concern communications between you and
 15 James Ryu concerning Luz or Luz.
 16 Is it your testimony that you do not
 17 have any documents responsive to this request?
 18 A. Yes.
 19 Q. Fifteen, all documents that reflect
 20 or concern communications between you and any
 21 other person concerning Luz or Luz.
 22 Is it your testimony that you do not
 23 have any documents responsive to this request?
 24 A. Yes.
 25 Q. Sixteen, all documents that reflect

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1 F. Gleeson
 2 or concern Eunhee Christine Pak. Eunhee is
 3 spelled E-u-n-h-e-e, Christine, Pak is spelled
 4 P-a-k.
 5 Is it your testimony is that you do
 6 not have any documents responsive to this
 7 request?
 8 A. Yes.
 9 Q. Seventeen, all documents that
 10 reflect or concern communications between you
 11 and James Ryu concerning Eunhee Christine Pak.
 12 Is it your testimony that you don't
 13 have any documents responsive to this request?
 14 A. Yes.
 15 Q. Eighteen, all documents that reflect
 16 or concern communications between you and any
 17 other person concerning Eunhee Christine Pak.
 18 Is it your testimony that you do not
 19 have any documents responsive to this request?
 20 A. Yes.
 21 Q. Nineteen, all documents that reflect
 22 or concern F One Communications -- and I
 23 represent to you that that's a defined term, F
 24 One Communications, which stands for the
 25 company F One Communication, Inc.

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1 F. Gleeson
 2 Is it your testimony that you do not
 3 have any documents responsive to this request?
 4 A. Yes.
 5 Q. Twenty, all documents that reflect
 6 or concern communications between you and
 7 James Ryu concerning F One Communications.
 8 Is it your testimony that you do not
 9 have any documents responsive to this request?
 10 A. Yes.
 11 Q. Twenty-one, all documents that
 12 reflect or concern communications between you
 13 and any other persons concerning F One
 14 Communications.
 15 Is it your testimony that you do not
 16 have any documents responsive to this request?
 17 A. Yes.
 18 Q. Twenty-two, all documents that
 19 reflect or concern James Ryu's duties and
 20 responsibilities at BankAsiana.
 21 Is it your testimony that you do not
 22 have any documents responsive to this request?
 23 A. Yes.
 24 Q. All documents that reflect or
 25 concern James Ryu's assets.

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1 F. Gleeson
 2 Is it your testimony that you do not
 3 have any documents responsive to this request?
 4 A. Yes.
 5 Q. Twenty-four, all documents that
 6 reflect or concern James Ryu's liabilities.
 7 Is it your testimony that you do not
 8 have any documents responsive to this request?
 9 A. Yes.
 10 Q. Twenty-five, all documents that
 11 reflect or concern James Ryu's personal
 12 financial statement.
 13 Is it your testimony you do not have
 14 any documents responsive to this request?
 15 A. Yes.
 16 Q. Twenty-six, all documents that
 17 reflect or concern communications between you
 18 and James Ryu concerning James Ryu's personal
 19 financial statement.
 20 Is it your testimony that you do not
 21 have any documents responsive to this request?
 22 A. Yes.
 23 Q. Twenty-seven, all documents that
 24 reflect or concern communications between you
 25 and any other person or persons concerning

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1 F. Gleeson
 2 James Ryu's personal financial statement.
 3 Is it your testimony that you do not
 4 have any documents responsive to this request?
 5 A. Yes.
 6 Q. Twenty-eight, all documents that
 7 reflect or concern Karen Chon's embezzlement of
 8 money from BankAsiana.
 9 Is it your testimony that you do not
 10 have any documents responsive to this request?
 11 A. Yes.
 12 Q. Twenty-nine, all documents that
 13 reflect or concern communications between you
 14 and James Ryu concerning Karen Chon's
 15 embezzlement of money from BankAsiana.
 16 Is it your testimony that you do not
 17 have any documents responsive to this request?
 18 A. Yes.
 19 Q. Thirty, all documents that reflect
 20 or concern communications between you and any
 21 other persons concerning Karen Chon's
 22 embezzlement of money from BankAsiana.
 23 Is it your testimony that you do not
 24 have any documents responsive to this request?
 25 A. Yes.

1 F. Gleeson
 2 Q. Now, we've gone through all of our
 3 30 documents requests.
 4 And when I say that you do not have
 5 these documents that are responsive, it's your
 6 testimony that not only do you not have them,
 7 but that -- well, let me withdraw that.
 8 Can you tell us what, if anything,
 9 you did in response to this subpoena which has
 10 document requests as a schedule?
 11 A. Anything I did?
 12 Q. Yes. Did you do anything?
 13 A. As far as trying to answer these
 14 questions you mean?
 15 Q. Is it fair to say that after you
 16 received them that you reviewed the subpoena --
 17 A. Yes.
 18 Q. -- and the schedule?
 19 A. Yes.
 20 Q. And did you make a search of your
 21 files or records or your e-mails to determine
 22 whether you had any documents that may be
 23 responsive to the document requests, the 30
 24 document requests that we just went over?
 25 A. Yes, I did.

1 F. Gleeson
 2 Q. And is it your testimony that you
 3 were not able to find any documents that were
 4 responsive to any of the requests?
 5 A. Yes.
 6 Q. And you understand that, even if you
 7 don't have these documents, if you have access
 8 to them that you have an obligation to make an
 9 effort to try to retrieve those documents --
 10 MR. DZARA: Objection.
 11 BY MR. YI:
 12 Q. -- if you have access to them?
 13 MR. DZARA: Objection.
 14 BY MR. YI:
 15 Q. I'll represent to you that you have
 16 that obligation.
 17 Did you make any attempt to retrieve
 18 any documents from other individuals or
 19 entities that may have had responsive
 20 documents?
 21 MR. DZARA: Objection.
 22 BY MR. YI:
 23 Q. You can answer.
 24 A. No, I didn't ask anybody else for
 25 the documents.

1 F. Gleeson
 2 Q. Are you aware of any other person or
 3 entity that may have maybe possession of
 4 documents that are responsive to these
 5 requests?
 6 A. No.
 7 Q. What is your home address?
 8 A. 30 Highland Avenue in Warwick, New
 9 York.
 10 Q. And is the ZIP Code 10990?
 11 A. Yes.
 12 Q. How long have you lived there?
 13 A. Twelve years.
 14 Q. Do you own the home that you live
 15 in?
 16 A. Yes.
 17 Q. Are you married?
 18 A. Yes.
 19 Q. What is the name of your wife?
 20 A. Michelle Gleeson.
 21 Q. How long have you been married?
 22 A. Twenty years in May, this coming
 23 May.
 24 Q. Twenty-one years?
 25 A. It'll be 20 years in May.

1 F. Gleeson
 2 Q. Do you have any children?
 3 A. Yes.
 4 Q. How many?
 5 A. We have one son together and I have
 6 two stepchildren, two stepsons, and I have an
 7 older son from my first marriage. So four boys
 8 all together.
 9 Q. How old are they?
 10 A. Our youngest is 17 and the next two
 11 are 27 and 32. And my oldest is 41.
 12 Q. Have you ever been deposed prior to
 13 today?
 14 A. In this matter?
 15 Q. In any matter.
 16 A. Yes.
 17 Q. How many times?
 18 A. Maybe twice.
 19 Q. Have you ever testified at any legal
 20 proceedings such as a hearing or a trial?
 21 A. No.
 22 Q. When was the last time you were
 23 deposed?
 24 A. I want to say 30 years ago.
 25 Q. Thirty years ago?

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1 F. Gleeson
2 A. Mh-hm.
3 Q. Are you involved in any lawsuits
4 currently?
5 A. No.
6 Q. Did you meet with any attorneys
7 concerning this deposition prior to today?
8 A. No.
9 Q. Did you meet with any of the parties
10 in this case prior to -- concerning the
11 deposition prior to today?
12 A. Concerning the deposition, no. But
13 I have met with James Ryu.
14 Q. When did you meet with Mr. Ryu?
15 A. Last time I saw James was about
16 seven months ago. We had lunch.
17 Q. And did you discuss -- at the lunch,
18 did you discuss with him about this case?
19 A. He gave me some indication of what
20 was going on.
21 Q. Okay. Can you tell us he said and
22 what you said?
23 A. He explained to me that he had
24 been -- what was his term -- I guess found
25 exonerated or found not responsible for the

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1 F. Gleeson
2 embezzlement and that -- he gave me some
3 indication of how difficult his life has been
4 in the past three or four years since all this
5 began and that he's been out of work for all of
6 that time. And we talked a little bit about,
7 you know, how difficult that's been on his
8 family. His mother was very sick and has since
9 passed away and lot of that resulted from the
10 stress that was brought on by all of this.
11 We talked about his families, his
12 kids, his wife. And, you know, he gave --
13 just -- it's been a tough time for him so he
14 kind of filled me in on that. And a little bit
15 about the case but, you know, not so much
16 because I guess it's too involved to get into
17 it, but he did indicate that he was suing, I
18 guess, Bank of Hope now -- that's formally
19 known as Wilshire Bank, is that true?
20 So he did say that he was suing Bank
21 of Hope, I guess for damages of some sort
22 resulting from his being accused of embezzling
23 funds from BankAsiana. That was the gist of
24 our conversation.
25 Q. Do you remember anything else he may

Page 24

1 F. Gleeson
2 have told you?
3 A. Not specifically, no.
4 Q. That's all you remember?
5 A. Yeah.
6 Q. Do you remember what you said to
7 him?
8 A. Well, you know, I was certainly sad
9 to hear about how his life had turned. I
10 hadn't seen him for quite some time after I
11 left BankAsiana. I want to say I didn't see
12 him for most of those three years or so. So I
13 really didn't know what was going on in his
14 life. And, you know, I just told him I felt
15 bad for him, is there anything I could do to
16 help in any way. You know, just offer some
17 help as a friend.
18 Q. And did he take you up on your
19 offer?
20 A. No, not really. No, we just, you
21 know, talk from time-to-time on the phone just
22 to catch up. I think the last time I talked to
23 him was when his mom died and he was flying out
24 to California for the funeral. So I expressed
25 my condolences and anything I could do to help.

Page 25

1 F. Gleeson
2 But, no, he hasn't asked for any help of any
3 kind.
4 Q. So the last time you spoke to him
5 was when you had lunch with him approximately
6 seven month ago?
7 A. I have spoken to him on the phone
8 since then.
9 Q. How often do you speak to him?
10 A. Let's see, when was the last time I
11 talked to him? I talked to him when his mom
12 died. That was maybe three or four months ago.
13 And -- oh, he called me to tell me that I would
14 be receiving a subpoena. So he called me about
15 a week or day or two before I received the
16 subpoena. So that was sometime in October. So
17 I think that was the last time I talked to him.
18 Q. So the last time you spoke to him on
19 the phone was when he called to let you know
20 you'd be receiving a subpoena --
21 A. Yes.
22 Q. -- related to this case?
23 A. Yes.
24 Q. And did you speak to him about the
25 subpoena?

1 F. Gleeson
 2 A. A little bit because I read through
 3 the document requests and, you know, expressed
 4 to him that I didn't have any of these items.
 5 He just, you know, acknowledged that I said
 6 that and he said If you don't have any, there's
 7 nothing you can do. So...
 8 Q. Did you speak to him about the
 9 deposition?
 10 A. When I postponed it last time I
 11 e-mailed him, but I didn't speak to him.
 12 Q. And what did you indicate in your
 13 e-mail to him about the deposition?
 14 A. That I was unable to attend because
 15 I was -- had injured my leg. He said he was
 16 sorry to hear that, you know, hope that you'll
 17 be able to reschedule.
 18 Q. Anything else?
 19 A. I don't recall anything else.
 20 Q. Have you talked to any other -- any
 21 other person about your deposition in this
 22 case?
 23 A. My wife.
 24 Q. Anybody else?
 25 A. No.

1 F. Gleeson
 2 Q. I would like to just briefly go over
 3 your educational background and then your
 4 professional employment history.
 5 A. Sure.
 6 Q. So let's start with your education,
 7 let's start with high school.
 8 A. I went to Saint Joseph High School
 9 in Toms River, New Jersey.
 10 Q. Did you graduate?
 11 A. Yes.
 12 Q. And did you attend college?
 13 A. Yes.
 14 Q. After high school?
 15 A. Yes.
 16 Q. Where?
 17 A. I attended -- immediately after high
 18 school I attended Ocean County College, also in
 19 Toms River.
 20 And then I transferred -- after I
 21 graduated from there, I transferred to Monmouth
 22 University in New Jersey. I graduated from
 23 there with my bachelor's degree and also my
 24 MBA.
 25 Q. Was that a BA?

1 F. Gleeson
 2 A. Yes.
 3 Q. Do you remember what year you
 4 graduated with a BA from Monmouth University?
 5 A. BS in 1984.
 6 Q. I'm sorry, BS, 1984.
 7 And the MBA?
 8 A. 1989.
 9 Q. Do you have any other education?
 10 A. Professional education through work.
 11 You know, seminars and workshops, that sort of
 12 thing.
 13 Q. Do you have any other degrees?
 14 A. No.
 15 Q. Do you currently hold any licenses
 16 or certifications?
 17 A. No.
 18 Q. Before we move on to your employment
 19 history, have I covered your educational
 20 background completely?
 21 A. Yes.
 22 Q. Okay. And you mentioned you don't
 23 hold any licenses or certifications?
 24 A. Correct.
 25 Q. Did you previously hold any licenses

1 F. Gleeson
 2 or certifications of any kind?
 3 A. No.
 4 Q. Okay. Let's start with your
 5 employment history.
 6 Did you have any significant
 7 employment while you were in college or
 8 graduate school?
 9 A. Yeah, I worked full-time and went to
 10 school at the same time.
 11 Q. Where did you work?
 12 A. I worked for several institutions.
 13 I worked for the New Jersey Department of
 14 Banking and I worked for Anchor Savings.
 15 Q. Anchor Savings Bank?
 16 A. Savings and loan. Let's see, where
 17 else did I work? I think I graduated when I
 18 was working at Anchor, so that's where I worked
 19 during that time.
 20 Q. Did you work for the New Jersey
 21 Department of Banking when you were in college?
 22 A. I was going to college, yes, at that
 23 time.
 24 Q. Is that department called something
 25 else now?

1 F. Gleeson
2 A. They changed it to New Jersey
3 Department of Banking and Insurance. They
4 combined the two.
5 Q. At the time that you were working
6 there, it was called New Jersey Department of
7 Banking?
8 A. Mh-hm.
9 Q. Do you remember what your position
10 was?
11 A. Senior examiner.
12 Q. And how long did you work there?
13 A. Five years.
14 Q. And how long did you work at Anchor
15 Savings?
16 A. I want to say eight years.
17 Q. And what was your position?
18 A. CFO.
19 Q. And was Anchor -- did you work at
20 Anchor Savings after college but while you were
21 attending graduate school for your MBA?
22 A. While I was attending graduate
23 school, yes. I graduated from Monmouth with my
24 BS when I was at the New Jersey Department of
25 Banking and then I went to Anchor Savings and

1 F. Gleeson
2 continued my education and I got my MBA when I
3 was working at Anchor Savings.
4 Q. Is it fair to say that after you
5 received your MBA and graduated in 1989 from
6 Monmouth University, you continued to work at
7 Anchor Savings?
8 A. Yeah, until 1992, I think. 1991 or
9 1992.
10 Q. So approximately 1989 to 1992?
11 A. Yeah.
12 Q. I'm sorry, 1984 to 1992.
13 A. I was at Anchor, actually, from '85
14 to '92.
15 Q. So let's pick up there.
16 After Anchor Savings, where were you
17 employed?
18 A. I went to work for Ocean City Home
19 Savings.
20 Q. By the way, just quickly going back
21 to New Jersey Department of Banking, were you
22 always senior examiner during the five years?
23 A. When I first started, I was just
24 examiner and then was -- received a promotion
25 somewhere during that time.

1 F. Gleeson
2 Q. And when you were at Anchor Savings
3 for approximately eight years, were you always
4 CFO?
5 A. Well, I was controller when I first
6 went there and I think after I was there about
7 a year, I moved up to CFO.
8 Q. And were you CFO when you left?
9 A. Yes.
10 Q. What was the reason for leaving New
11 Jersey Department of Banking? Was that just
12 employment during school, during the college?
13 A. No, I had an opportunity. As an
14 examiner, I had met the CEO of Anchor Savings
15 and he offered me a job. So when I graduated I
16 went to work for him.
17 Q. What was the reason for leaving
18 Anchor Savings in 1992?
19 A. The bank was acquired by another
20 bank. I can't recall the name of it though.
21 It was taken over by another bank.
22 Q. And were you laid off?
23 A. No, I wasn't laid off, I just chose
24 to leave.
25 Q. And you went over to Ocean City Home

1 F. Gleeson
2 Savings?
3 A. Yes.
4 Q. From when to when did you work
5 there?
6 A. '92 to 2001.
7 Q. And what was your position?
8 A. CFO.
9 Q. Were you CFO during that entire
10 time?
11 A. I was.
12 Q. After Ocean City Home Savings, where
13 were you employed?
14 A. I was self-employed. I had a
15 consulting business for about two years and I
16 also did some teaching at Stockton University.
17 Q. Where is Stockton University?
18 A. Right outside of Atlantic City, New
19 Jersey.
20 Q. What were the circumstances in which
21 you left Ocean City Home Savings in
22 approximately 2001?
23 A. My wife was very ill. We had our
24 youngest child during that time and I almost
25 lost them both. And it was a personal matter,

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1 F. Gleeson
 2 I needed to be at home and I needed to spend
 3 time with my wife and newborn son. So I left
 4 Ocean City and started my own business and did
 5 some teaching so I could be close to them.
 6 Q. All right. After you were
 7 self-employed and did consulting and teaching
 8 for approximately two years, were you again
 9 employed?
 10 A. Yeah.
 11 Q. Where?
 12 A. I went to work for the FAA Credit
 13 Union, which was in Northfield, New Jersey, as
 14 a chief operating officer.
 15 Q. And FAA stands for Federal Aviation
 16 Administration?
 17 A. Yes.
 18 Q. From when to when did you work
 19 there?
 20 A. Let's see, sometime in 2002, I
 21 guess, to 2005. I don't remember which months
 22 but...
 23 Q. And during that time were you were
 24 you always COO?
 25 A. Yeah.

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1 F. Gleeson
 2 Q. Okay. After FAA Credit Union, where
 3 were you employed next?
 4 A. I had an opportunity in Mariner's
 5 Bank in Northern Jersey. Edgewater, actually.
 6 And I was the CFO and I worked there for two
 7 years.
 8 Q. From when to when?
 9 A. 2005, 2007.
 10 Q. What were the circumstances in which
 11 you left FAA Credit Union in 2005?
 12 A. An opportunity at Mariners.
 13 Q. And were you CFO during the entire
 14 time that you were with Mariner's Bank?
 15 A. Yes, yes.
 16 Q. After Mariner's Bank, where were you
 17 employed?
 18 A. BankAsiana, 2007 to 2013.
 19 Q. Who hired you?
 20 A. Hong Sik Hur.
 21 Q. What were the circumstances in which
 22 you became employed by BankAsiana?
 23 A. Let's see, I was contacted by a
 24 gentleman by the name of HB Kim, who was the
 25 chief lending officer at BankAsiana.

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1 F. Gleeson
 2 BankAsiana, at the time, was an
 3 organization. It hadn't opened yet. It hadn't
 4 received its approvals from the regulators to
 5 open. So they were looking for a CFO to help
 6 them get open and so he contacted me, asked --
 7 he had gotten my name from somebody, I don't
 8 recall who, and he contacted me, asked if I
 9 would be interested and I said I would be. And
 10 then I had an interview with Hong Sik Hur and
 11 James Ryu.
 12 Q. And during your employment with
 13 BankAsiana, were you always CFO?
 14 A. Yes.
 15 Q. Could you describe to us your duties
 16 and responsibility -- by the way, did you have
 17 a corporate title of senior vice president?
 18 A. I did.
 19 Q. What were your duties and
 20 responsibilities as a senior vice president and
 21 CFO of BankAsiana?
 22 A. I was responsible for the accounting
 23 department, financial reporting, budgeting,
 24 taxes, asset liability management. I worked
 25 closely with examinations from the regulators,

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1 F. Gleeson
 2 as well as audits from our independent
 3 accountants. I supervised the accounting
 4 department. That's pretty much what I did.
 5 Q. Anything else?
 6 A. Responsible to report to the board
 7 on the financial condition of the bank, put
 8 together annual reports, you know, lots of
 9 financial reporting. You know, I was a big
 10 part of -- I was one of the original hires at
 11 BankAsiana. I think there were maybe eight or
 12 ten people; I was one of those original
 13 employees. I was responsible for getting the
 14 bank open in the first part, getting all the
 15 approvals from the regulators and so on.
 16 Capital raising. That's pretty much it.
 17 Q. During your employment with
 18 BankAsiana -- withdrawn.
 19 Is it fair to say that you worked
 20 with James Ryu during your employment with
 21 BankAsiana?
 22 A. I did, yes.
 23 Q. And is it fair to say that James Ryu
 24 was senior vice president and COO, chief
 25 operating officer, of BankAsiana?

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1 F. Gleeson
 2 A. Yes.
 3 Q. And that was during your entire
 4 tenure or employment with BankAsiana?
 5 A. Yes.
 6 Q. Was James Ryu also the bank's BSA
 7 officer?
 8 A. He was, yes.
 9 Q. Was James Ryu also the chief
 10 compliance officer of the bank?
 11 A. Yes, he was.
 12 Q. When you left BankAsiana in 2013,
 13 how many branches did BankAsiana have?
 14 A. Three, I believe.
 15 Q. Do you remember where they were?
 16 A. The main branch was Palisades Park,
 17 New Jersey, we had a branch in Fort Lee, New
 18 Jersey, and a branch in Flushing, New York.
 19 Q. And the branch in Fort Lee, New
 20 Jersey, was that referred to as East Fort Lee,
 21 New Jersey branch?
 22 A. Not that I know of. I think it was
 23 always -- I always called it Fort Lee so...
 24 Q. Okay. In 2013, do you remember who
 25 was in charge of the East Fort Lee branch for

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1 F. Gleeson
 2 BankAsiana?
 3 A. I think it was TK Suh. I don't know
 4 what the TK stood for, but TK Suh, S-u-h. I
 5 believe he was --
 6 Q. Was he the branch manager?
 7 A. Yes, I believe he was.
 8 Q. Do you remember who the branch
 9 manager was prior to TK Suh?
 10 A. There was a woman manager. I can't
 11 recall her name, but there was someone from TK.
 12 Q. Do you remember a woman named
 13 Jessica Kim?
 14 A. I do, but that's not who I'm
 15 thinking of. There was another woman who was
 16 branch manager. I think she was hired when the
 17 branch was opened and she was there for, you
 18 know, some time, a couple of years or a few
 19 years. She left the bank and I can't recall
 20 her name.
 21 Q. Okay. Do you remember who the
 22 number-two person, for lack of a better term,
 23 would have been at the Fort Lee branch?
 24 A. Karen Chon was the operations
 25 manager, I believe, at Fort Lee. She would be

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1 F. Gleeson
 2 the number-two person.
 3 Q. Prior to TK Suh becoming branch
 4 manager of the Fort Lee branch -- and I'll
 5 represent to you that it was referred to by
 6 BankAsiana internally as East Fort Lee branch.
 7 A. Okay.
 8 Q. Prior to TK Suh becoming the branch
 9 manager of the East Fort Lee branch of the
 10 bank, do you recall if he had any experience in
 11 operations?
 12 MR. DZARA: Objection to Fort Lee.
 13 You can answer. If I object, you have to
 14 answer.
 15 THE WITNESS: Okay.
 16 A. When he was with the bank, he was a
 17 marketing -- I think he was hired as a
 18 marketing officer. But he had -- my
 19 recollection is he had a number of years
 20 experience in banking prior to that. Whether
 21 he had any operations experience in those, you
 22 know, years, I don't know. So I really can't
 23 answer that question.
 24 Q. Do you recall who made the decision
 25 to make him branch manager of the East Fort Lee

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1 F. Gleeson
 2 branch?
 3 MR. DZARA: Objection.
 4 A. I would think that was Hong Sik Hur,
 5 but I don't know that for a fact.
 6 Q. Did BankAsiana -- during your
 7 employment with BankAsiana, did the bank have
 8 an internal audit department?
 9 A. No.
 10 Q. Is it fair to say that the functions
 11 of an internal audit department of a bank were
 12 performed by a company outside the bank?
 13 A. Yes, that's true.
 14 Q. Do you recall who that was?
 15 A. Withum, Smith, and Brown.
 16 MR. YI: Off the record.
 17 BY MR. YI:
 18 Q. Anyone else?
 19 A. As far as auditors?
 20 Q. Yes.
 21 A. We had Crowe Horwath, who was our
 22 external audit firm. They audited the
 23 financial statements and then Withum, Smith,
 24 and Brown was the internal audit firm.
 25 Q. During your employment with

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1 F. Gleeson
2 BankAsiana, did the bank have an internal IT
3 department?
4 A. Near the end of my tenure there,
5 yes, we hired an IT person, but not the entire
6 time.
7 Q. Do you remember a company called F
8 One Communication, Inc.?
9 A. Yes.
10 Q. And do you recall what their role
11 was with respect to BankAsiana?
12 A. They were essentially the outsourced
13 IT firm that helped manage the IT
14 infrastructure of the bank.
15 Q. Do you remember any particular
16 individuals at that company?
17 A. Paul Eom, I think, was the
18 principal.
19 Q. Do you remember how he spelled his
20 last name? Is it E-u-m?
21 A. E-u-m or E-o-m, I don't know.
22 Q. E-o-m?
23 Do you remember anyone else?
24 A. When the bank first started, he had
25 a partner because he helped set up the bank's

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1 F. Gleeson
2 IT infrastructure at the beginning. I don't
3 recall his name though, but he had someone in
4 business with him. I don't remember his name.
5 Q. Do you remember whether the company
6 had any employees?
7 A. I never worked with anybody other
8 than Paul Eom, so I never met any other
9 employees.
10 (Gleeson Exhibit 3, copy of an
11 e-mail from James Ryu to Mr. Gleeson from
12 April 20, 2010, 9:55 a.m., marked for
13 identification.)
14 MR. YI: Can we take a quick break?
15 MR. DZARA: Sure.
16 (Recess is taken.)
17 BY MR. YI:
18 Q. I'm showing you what's been marked
19 as Exhibit 3 to your deposition.
20 Is this a copy of an e-mail from
21 James Ryu to you from April 20, 2010,
22 9:55 a.m.?
23 A. That's what it appears to be, yeah.
24 Q. Okay. If you could take a look at
25 the second page of this exhibit, which has the

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1 F. Gleeson
2 heading "James S. Ryu personal financial
3 statement as March 31, 2010."
4 Do you see that?
5 A. Yes.
6 Q. Is that a personal financial
7 statement of James Ryu as of March 31, 2010,
8 that you prepared for him?
9 A. I helped him compile it.
10 Q. When you say you "helped him compile
11 it," who actually prepared this document,
12 second page of this exhibit?
13 A. Right. He gave me the figures and I
14 put them on a page.
15 Q. Just going back to the first page of
16 this exhibit, do you see the subject "Financial
17 statement for Luz," L-u-z?
18 A. Mh-hm.
19 Q. Do you see the attachment being
20 "Financial statement for Luz"?
21 A. Yes.
22 Q. Does that refresh your
23 recollection -- withdrawn.
24 Do you remember the purpose of this
25 financial -- personal financial statement?

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1 F. Gleeson
2 A. I believe he was trying to acquire
3 this business at the time. I don't know the
4 dates exactly, to be perfectly honest, but I
5 believe he was trying to acquire the business.
6 Q. Do you remember what type of
7 business Luz was?
8 A. I think that was the hair salon,
9 beauty salon. So he was acquiring the business
10 and I think he had to put together a financial
11 statement for the people he was buying the
12 business from.
13 Q. And do you recall whether he
14 actually did purchase the business?
15 A. I don't know whether he actually
16 purchased it or if he just operated it. I
17 never -- I never knew how that transaction
18 ended up, but I know he operated it for some
19 time. Whether he owned it or not, I don't
20 know.
21 Q. When you say he came to operate it
22 at some point, what do you mean by
23 operate"?
24 A. Run the business on a day-to-day
25 basis.

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1 F. Gleeson
 2 Q. Did he do that while he was still
 3 employed by BankAsiana?
 4 A. Yes.
 5 Q. When you left BankAsiana in 2013,
 6 was James Ryu still operating this business,
 7 Luz, the hair salon?
 8 A. I don't think so. I don't think so.
 9 Q. Do you recall approximately how long
 10 he operated this hair salon?
 11 A. No, I would say less than two years.
 12 That's a bit of a guess, but it wasn't that
 13 long.
 14 MR. DZARA: Do you want him to
 15 guess, Michael?
 16 MR. YI: No.
 17 BY MR. YI:
 18 Q. You don't have to guess to any of my
 19 questions.
 20 A. Okay. Yeah, I really don't know how
 21 long.
 22 Q. But your best recollection is
 23 approximately two years?
 24 A. Yeah.
 25 Q. Is that your testimony?

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1 F. Gleeson
 2 A. Yeah, I would say that.
 3 Q. When you prepared this second page,
 4 the personal financial statement of James Ryu
 5 as of March 31, 2010, you indicated earlier
 6 that these numbers were based on numbers that
 7 James Ryu had provided to you. Do you recall
 8 whether he provided to you any source
 9 documents?
 10 A. No.
 11 MR. DZARA: You don't remember?
 12 BY MR. YI:
 13 Q. You don't recall or he didn't?
 14 A. He didn't.
 15 Q. Did you ask him for source
 16 documents?
 17 A. No.
 18 Q. Do you know what James -- and I'll
 19 just refer to him as James, if that's okay.
 20 A. Sure.
 21 Q. Do you know what James did with this
 22 personal financial statement?
 23 A. No, I don't.
 24 Q. Do you recall him telling you what
 25 he was going to use it for?

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1 F. Gleeson
 2 A. It was my understanding he was
 3 trying to acquire the business and he needed to
 4 prepare a financial statement.
 5 Q. And you don't recall whether there
 6 were any other purposes for this personal
 7 financial statement?
 8 A. No, I don't recall.
 9 Q. Do you remember anything else about
 10 this personal financial statement that you
 11 prepared for James Ryu in April of 2010?
 12 MR. DZARA: Objection to form.
 13 A. No, I don't remember anything else.
 14 (Gleeson Exhibit 4, e-mail to James
 15 from October 3, 2011, 1:03 p.m., subject is
 16 "Seleste," attachment is also "Seleste",
 17 marked for identification.)
 18 BY MR. YI:
 19 Q. I'm showing you what's been marked
 20 as Exhibit 4 to your deposition.
 21 Is this a copy of your e-mail to
 22 James from October 3, 2011, 1:03 p.m., subject
 23 is "Seleste," attachment is also "Seleste"?
 24 A. Yup. It appears to be that, yes.
 25 Q. On the second page of this exhibit,

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1 F. Gleeson
 2 the heading is "Seleste LLC income statement."
 3 Do you see that?
 4 A. Yes.
 5 Q. Do you recall the company, Seleste
 6 LLC?
 7 A. Yes.
 8 Q. Okay. What type of business?
 9 A. I believe that was the -- the
 10 corporation that owned the hair salon, Luz, as
 11 well as the cafe, which I believe was called --
 12 was it called Seleste or -- the cafe may have
 13 had a different name.
 14 Q. Does the name Kudo Beans --
 15 A. Yes, that was it, Kudo Beans. So
 16 Seleste was the limited liability corporation
 17 that owned those two businesses.
 18 Q. So is it your testimony that Seleste
 19 LLC is or was a limited liability company that
 20 owned both the hair salon business, which was
 21 called Luz, and a cafe, which was called Kudo
 22 Beans?
 23 A. Yeah, that's the way I recall it,
 24 yeah.
 25 Q. And the second page of this exhibit,

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1 F. Gleeson
 2 is that a Seleste LLC income statement that you
 3 prepared?
 4 A. I put the numbers of the page after
 5 being given those numbers by James Ryu to
 6 prepare the statement.
 7 Q. Okay. And is it fair to say that
 8 you prepared or you put together this income
 9 statement at James's request?
 10 A. Yes.
 11 Q. And do you recall what the purpose
 12 of this income statement was?
 13 A. No, I don't.
 14 Q. And other than James giving you
 15 these figures or numbers, do you recall what --
 16 did he give you, if you recall, any source
 17 documents for these numbers that are indicated
 18 in the income statement?
 19 A. No.
 20 Q. Did you ask him for source
 21 documents?
 22 A. No.
 23 Q. And in your e-mail you state,
 24 "James, let me know what changes you want to
 25 make."

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1 F. Gleeson
 2 Do you recall whether he asked you
 3 to make any changes?
 4 A. I don't recall, no. Was there a
 5 later e-mail that followed up to this or...
 6 Q. Do you recall?
 7 A. No.
 8 Q. Okay. And is it fair to say that,
 9 as of October 3rd, 2011, you were the CFO of
 10 BankAsiana?
 11 A. Yes.
 12 Q. And as of October 3rd, 2011, James
 13 was the COO of the bank?
 14 A. Yes.
 15 Q. Were you ever compensated in any way
 16 by James for preparing the -- his personal
 17 financial statement dated as of March 31, 2010?
 18 A. No.
 19 MR. DZARA: Objection to form.
 20 BY MR. YI:
 21 Q. Were you ever compensated by James
 22 for preparing Seleste LLC's income statement --
 23 MR. DZARA: Objection to form.
 24 BY MR. YI:
 25 Q. -- in or about October 2011?

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1 F. Gleeson
 2 A. No.
 3 (Gleeson Exhibit 5, e-mail to James
 4 from October 3rd, 2011, 2:45 p.m., with
 5 subject "Seleste," and attachment
 6 "Seleste", marked for identification.)
 7 BY MR. YI:
 8 Q. I'm showing you what's been marked
 9 as Exhibit 5 to your deposition.
 10 Is this a copy of your e-mail to
 11 James from October 3rd, 2011, 2:45 p.m., with
 12 subject "Seleste," and attachment "Seleste"?
 13 A. It appears to be that, yes.
 14 Q. Why don't we take a look at 4 and 5,
 15 the second pages of 4 and 5 together.
 16 And I will represent to you that --
 17 withdrawn.
 18 The second page of Exhibit 5, is
 19 that a copy of Business Income Statement
 20 January 2010 to July 2010 that you either
 21 compiled or prepared at James's request?
 22 A. Yes.
 23 Q. Just looking at the second page of
 24 Exhibit 4 and the second page of Exhibit 5, can
 25 you explain to us the difference, just in

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1 F. Gleeson
 2 general?
 3 A. Well, he had given changes to
 4 Exhibit 4, which resulted in Exhibit 5.
 5 Q. So Exhibit 5, the second page, it is
 6 still Seleste LLC's income statement?
 7 A. Right. Right.
 8 Q. Just some of the numbers were
 9 changed?
 10 A. Yeah.
 11 Q. And those numbers were provided to
 12 you by James, correct?
 13 A. Correct.
 14 Q. And you made those changes?
 15 A. Correct.
 16 Q. Again, same question, James -- is it
 17 fair to say James didn't provide you with any
 18 source documents for the new numbers?
 19 A. Correct.
 20 Q. And is it fair to say you didn't ask
 21 him for the source documents?
 22 A. Yes.
 23 Q. And do you remember -- I'm sorry if
 24 I asked this earlier, do you remember what the
 25 purpose of this income statement was?

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1 F. Gleeson
 2 A. I don't remember what he was doing
 3 with this document.
 4 Q. Did you ever ask him what he was
 5 going to do with this income statement for
 6 Seleste LLC?
 7 A. I don't. I don't remember if I
 8 asked him that question.
 9 Q. Do you remember anything else about
 10 either the e-mail or the income statements
 11 which is part of Exhibit 5?
 12 A. No, I don't remember anything else.
 13 Q. Were you ever employed by Seleste
 14 LLC?
 15 A. No.
 16 Q. Were you ever compensated -- did you
 17 ever receive compensation from Seleste LLC?
 18 A. No.
 19 Q. In this e-mail, Exhibit 5, you say
 20 to James, "Here you go."
 21 Is it fair to say that he had asked
 22 you -- he had provided you with some new
 23 numbers for the income statement and you put in
 24 those numbers and you sent it to him?
 25 A. Correct.

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1 F. Gleeson
 2 (Gleeson Exhibit 6, chain of e-mail
 3 with James's e-mail from October 3rd, 2011,
 4 2:52 p.m., subject "Seleste", marked for
 5 identification.)
 6 BY MR. YI:
 7 Q. Before we get to the next exhibit,
 8 as of October 2011, was anyone else at the bank
 9 aware that you were helping or assisting James
 10 compile income statement for Seleste LLC?
 11 A. I don't remember if anybody else was
 12 aware.
 13 Q. Did you ask anyone that you
 14 considered to be -- withdrawn.
 15 Did you ever ask Mr. Hur or anybody
 16 on the board of the bank for permission to
 17 either assist or help James compile or prepare
 18 the income statement?
 19 A. I don't remember.
 20 Q. What about the personal financial
 21 statement of James Ryu that we looked at
 22 earlier, I believe it was as of March 31st of
 23 2010. Did you ever ask Mr. Hur or anybody on
 24 the board of the bank for permission to help
 25 James either compile or prepare his personal

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1 F. Gleeson
 2 financial statement?
 3 A. I don't remember.
 4 Q. You have in front of you what's been
 5 marked as Exhibit 6?
 6 A. Yes.
 7 Q. Okay. And I'll represent to you
 8 that the e-mail that's on the second page of
 9 this exhibit was an e-mail that we had
 10 previously looked at, your e-mail to James from
 11 October 3, 2011, in which you said,
 12 "Here you go." And then I'm going to ask you
 13 questions about two subsequent e-mails.
 14 On the bottom of the first page of
 15 this exhibit, is that a copy of James's e-mail
 16 to you from October 3rd, 2011, 2:52 p.m.,
 17 subject "Seleste"?
 18 A. It appears to be that, yes.
 19 Q. And in that e-mail James says to
 20 you, "Thanks, Frank."
 21 Do you see that?
 22 A. Yes.
 23 Q. Is it fair to say that he was
 24 thanking you for sending to him the revised
 25 income statement for Seleste LLC?

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1 F. Gleeson
 2 A. Yes.
 3 Q. And take a look at the e-mail at the
 4 top of the first page, is that a copy of your
 5 e-mail to James, same day, 2:57 p.m., with the
 6 subject "Seleste"?
 7 A. Yes.
 8 Q. And in that e-mail you said to
 9 James, "Anytime. Let me know when you are
 10 ready on the other thing."
 11 Do you see that?
 12 A. Yes.
 13 Q. Do you remember what "the other
 14 thing" was?
 15 A. I do not. I do not remember.
 16 Q. And when you said "when you are
 17 ready," you're saying "when you are," when
 18 James Ryu are ready, right?
 19 A. Yes.
 20 Q. Do you remember anything else about
 21 this particular e-mail?
 22 A. No.
 23 Q. Okay. Just to be sure, you don't
 24 remember what the other thing was that you were
 25 referencing in that e-mail?

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1 F. Gleeson
 2 A. No, I don't.
 3 (Gleeson Exhibit 7, e-mail to James
 4 from October 5th, 2011, 11:49 a.m., with
 5 the subject "Seleste," and attachment
 6 "Seleste", marked for identification.)
 7 BY MR. YI:
 8 Q. I'm showing you what's been marked
 9 as Exhibit 7 to your deposition.
 10 Is this a copy of your e-mail to
 11 James from October 5th, 2011, 11:49 a.m., with
 12 the subject "Seleste," and attachment
 13 "Seleste"?
 14 A. Yes, it appears to be that.
 15 Q. Okay. And let's go back to
 16 Exhibit 5. I'll ask you to turn to the second
 17 page of this Exhibit 7 and compare it to the
 18 second page of Exhibit 5. Did you have a
 19 conversation or a communication with James
 20 prior to this e-mail where James provided to
 21 you with numbers for utilities?
 22 A. Yes, he gave me some adjustments to
 23 the numbers in Exhibit 5.
 24 Q. Okay.
 25 A. So we produced Exhibit 7.

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1 F. Gleeson
 2 Q. So the previous income statement
 3 from -- which is second page of Exhibit 5, did
 4 not have a line expense item for utilities --
 5 A. Correct.
 6 Q. -- and Exhibit 7, the second page,
 7 the income statement, appears to be an updated
 8 income statement which now has a line item
 9 for utilities for both the hair salon and the
 10 cafe with a combined total figure; is that
 11 correct?
 12 A. That's correct. Some of the other
 13 numbers changed as well.
 14 Q. Right. So the total expenses also
 15 changed for both the hair salon and the cafe
 16 and the combined total?
 17 A. Yes.
 18 Q. Including, I guess, the net income
 19 also changed?
 20 A. Yes.
 21 Q. And those utilities numbers for the
 22 hair salon and the cafe, those numbers were
 23 provided to you by James?
 24 A. Yes.
 25 Q. And, again, he didn't provide you

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1 F. Gleeson
 2 with any source documents for those figures,
 3 right?
 4 A. Correct.
 5 Q. And you didn't ask for them?
 6 A. Correct.
 7 Q. And does this now refresh your
 8 recollection as to what James told you about
 9 what he was going to do with this income
 10 statement?
 11 A. I do not recall what he was doing
 12 with this particular statement, no.
 13 Q. Do you remember -- is there anything
 14 else that you remember about this e-mail or
 15 this income statement that's the second page to
 16 this exhibit?
 17 A. No.
 18 (Gleeson Exhibit 8, James's e-mail
 19 from October 14, 2011, 10:50 a.m., with the
 20 subject "Income and expense," and
 21 attachment called "Income and expense",
 22 marked for identification.)
 23 BY MR. YI:
 24 Q. I'm showing you what's been marked
 25 as Exhibit 8.

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1 F. Gleeson
 2 Is this a copy of James's e-mail to
 3 you from October 14, 2011, 10:50 a.m., with the
 4 subject "Income and expense," and attachment
 5 called "Income and expense"?
 6 A. It appears to be that, yes.
 7 Q. And I'm going to ask you to turn to
 8 the second page of this exhibit.
 9 Is that an income and expense
 10 statement that you prepared or compiled for
 11 James at his request?
 12 (Witness complies.)
 13 A. These numbers appear to be
 14 BankAsiana numbers. So those are the assets,
 15 loans, deposits, capital, net income before and
 16 after tax for BankAsiana.
 17 MR. YI: Let's take a quick break.
 18 (Recess is taken.)
 19 BY MR. YI:
 20 Q. I'm showing you what's been marked
 21 as Exhibit 8 and I was referring you to the
 22 second page of this Exhibit 8, which appears to
 23 be -- is that a copy -- is that an income and
 24 expense statement that you either prepared or
 25 compiled for James at his request?

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1 F. Gleeson
 2 A. Yes.
 3 Q. Okay. And is it fair to say that
 4 these are numbers that James had provided to
 5 you so that you could prepare this statement?
 6 A. Yes.
 7 Q. And is it fair to say that he did
 8 not provide you with any source documents or
 9 back-up documents for these numbers?
 10 A. Yes.
 11 Q. And is it fair to say you didn't ask
 12 him for such documents?
 13 A. Yes.
 14 Q. As you sit here today, do you know
 15 whether any of these numbers are accurate as of
 16 October 14, 2011?
 17 A. Accurate to the extent that he gave
 18 them to me. Outside of that, I don't know
 19 these numbers are accurate beyond that.
 20 Q. Okay. And is it fair to say that --
 21 well, withdrawn.
 22 The income and expenses that are
 23 reflected in this statement, which is the same
 24 page of this statement, is it fair to say that
 25 this is James's personal income and expenses?

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1 F. Gleeson
 2 A. Yes.
 3 Q. Do you remember why he asked you to
 4 prepare this for him?
 5 A. He was going through a modification
 6 of his mortgage loan on his home and I think he
 7 had to put together an income expense statement
 8 for that modification request. And I believe
 9 that's the purpose of this, what this was.
 10 Q. Okay. And when you say "his home,"
 11 are you referring to his home in New Jersey --
 12 A. Yeah.
 13 Q. -- or his home elsewhere?
 14 A. His home in New Jersey.
 15 Q. And do you remember who the lender
 16 was?
 17 A. I think it was Bank of America.
 18 Q. Let me just direct your attention to
 19 the first two lines there, it says "Mortgage
 20 LA" and then "Mortgage NJ."
 21 Do you see that?
 22 A. Yes.
 23 Q. Okay. It's your recollection that
 24 he was attempting to modify the mortgage loan
 25 for his home in New Jersey?

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1 F. Gleeson
 2 A. Yes, that's my recollection.
 3 Q. With Bank of America?
 4 A. Yes.
 5 Q. Do you remember anything else about
 6 this e-mail or the income and expense statement
 7 that you prepared for him?
 8 A. No, I don't remember.
 9 (Gleeson Exhibit 9, e-mail to James
 10 from November 8, 2011, marked for
 11 identification.)
 12 BY MR. YI:
 13 Q. I'm showing you what's been marked
 14 as Exhibit 9.
 15 Is this a copy of your e-mail to
 16 James from November 8, 2011?
 17 A. It appears to be, yes.
 18 Q. At 9:22 a.m., with the subject
 19 "Planning CO," and an attachment called
 20 "Planning CO"?
 21 A. Yes.
 22 Q. And the attachment that's the second
 23 page of this exhibit, do you remember what that
 24 is?
 25 A. These are BankAsiana numbers for

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1 F. Gleeson
 2 assets, loans, deposits, capital, and then
 3 income before and after tax. Actual numbers,
 4 budgeted numbers, and projected numbers for the
 5 following year.
 6 Q. Do these numbers reflect the
 7 calendar year 2011?
 8 A. I believe so, yeah.
 9 Q. And did you prepare this actual and
 10 budget document at James's request?
 11 A. Yes.
 12 Q. And do you remember what the purpose
 13 of this document was?
 14 A. I seem to recall we had a planning
 15 committee scheduled for November 11th of 2011
 16 and this was some numbers that needed to be
 17 discussed at that committee meeting.
 18 Q. And are the numbers indicated here,
 19 are they in the thousands?
 20 A. Yes. I believe James was putting
 21 together a PowerPoint presentation for the
 22 committee and he needed these numbers for that
 23 purpose.
 24 Q. And when you say "planning
 25 committee," is that the planning committee of

1 F. Gleeson
 2 the board of directors of the bank?
 3 A. Correct.
 4 (Gleeson Exhibit 10, e-mail from
 5 James to Mr. Gleeson from February 15,
 6 2012, 9:22 a.m., with the subject "Schedule
 7 J, current expenditures", marked for
 8 identification.)
 9 BY MR. YI:
 10 Q. I'm showing you what's been marked
 11 as Exhibit 10.
 12 Have you had a chance to look
 13 through this exhibit?
 14 A. Briefly, yeah.
 15 Q. I'm directing your attention to the
 16 top of the first page of this exhibit.
 17 Is that a copy of an e-mail from
 18 James to you from February 15, 2012, 9:22 a.m.,
 19 with the subject "Schedule J, current
 20 expenditures," and an attachment, a PDF
 21 attachment, with the numbers indicated there?
 22 A. It appears to be, yes.
 23 Q. Do you know why James was sending
 24 this attachment to you?
 25 (Witness complies.)

1 F. Gleeson
 2 you may have had in connection with James's
 3 wife bankruptcy filing, if any, in or about
 4 2012?
 5 MR. DZARA: Objection to form.
 6 A. I'm trying to remember, but I don't.
 7 Q. We can come back to it.
 8 A. Yeah, there may be something else
 9 you show me that may help me to remember that,
 10 but I don't remember that right now.
 11 Q. You mentioned earlier that James was
 12 working with an attorney by the name of
 13 Robert Yu?
 14 A. Mh-hm.
 15 Q. Was Robert Yu -- as of
 16 February 2012, was Robert Yu the attorney
 17 representing BankAsiana or James Ryu?
 18 MR. DZARA: Objection to form.
 19 A. I think he may have represented the
 20 bank also, in certain matters.
 21 Q. And is it your testimony that
 22 Robert Yu was also representing James Ryu?
 23 A. Yes.
 24 Q. In connection with James's personal
 25 matters?

1 F. Gleeson
 2 A. I'm trying to recall. He was
 3 working with an attorney by the name of
 4 Robert Yu and Robert was working on -- I'm not
 5 sure if it was a bankruptcy application or -- I
 6 don't remember the purpose of the document.
 7 I'm trying to remember, but I don't remember.
 8 Q. Okay.
 9 A. But I know he was working with
 10 Robert Yu on...
 11 Q. Let me direct your attention to the
 12 attachment at the top, it indicates Inray and
 13 has the name, last name, Ryu, R-y-u. First
 14 name, D-U. Middle initial appears to be H.
 15 Do you remember James's wife name?
 16 A. I believe that was his wife's name,
 17 yeah.
 18 Q. And do you remember his wife filing
 19 for bankruptcy sometime in 2012?
 20 A. You know, until this moment I
 21 don't -- I did not remember that, but the
 22 paperwork would indicate that to me. But I
 23 don't recall if she filed for bankruptcy.
 24 Q. These documents don't refresh your
 25 recollection as to what, if any, involvement

1 F. Gleeson
 2 A. Yes.
 3 Q. And perhaps -- do you know whether
 4 Robert Yu was representing James's wife in
 5 connection with personal matters as well?
 6 A. From this document, it appears that
 7 way, but I didn't recall that, as I said before
 8 you handed this to me. But it certainly would
 9 appear that way.
 10 Q. Do you recall having any discussions
 11 with Robert Yu concerning any bankruptcy
 12 proceeding relating to James's wife?
 13 A. No, I don't recall.
 14 Q. Okay. I'm going to ask you to turn
 15 to page 3 of this exhibit and direct your
 16 attention to the bottom of this page.
 17 A. Okay.
 18 Q. And I'll represent to you that this
 19 is a copy of Irene Lee's e-mail to James from
 20 February 14, 2012.
 21 Do you know why Irene Lee would have
 22 e-mailed to James on February 14, 2012, a copy
 23 of this attachment?
 24 MR. DZARA: Objection.
 25 A. No, I don't know why she would have

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1 F. Gleeson
 2 sent this.
 3 MR. DZARA: Foundation. There's no
 4 evidence that's the attachment that Irene
 5 is e-mailing to James -- (inaudible) --
 6 BY MR. YI:
 7 Q. I'll represent to you that --
 8 MR. DZARA: Unless you have that
 9 e-mail.
 10 MR. YI: I'll represent to you that
 11 this attachment was attached to the
 12 e-mail --
 13 MR. DZARA: Well, I'll object to
 14 that being -- because I don't see by
 15 reading it it being sent to James. So I
 16 object to your representation.
 17 BY MR. YI:
 18 Q. Do you know why Irene Lee would have
 19 e-mailed to James on that day a copy of this
 20 attachment?
 21 MR. DZARA: Objection. Asked and
 22 answered.
 23 A. No, I don't.
 24 Q. And Irene Lee was employed by
 25 BankAsiana at the time, correct?

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1 F. Gleeson
 2 A. Yes.
 3 Q. And do you remember what her
 4 position was at the bank?
 5 A. She worked in the operations
 6 department of the bank. She worked for James.
 7 Q. During the time you were employed by
 8 BankAsiana, do you recall James Ryu asking
 9 other employees at the bank to assist him in
 10 connection with his or his wife's personal
 11 matters?
 12 A. No, I do not.
 13 Q. Before we go on to the next exhibit,
 14 is there anything else that you recall about
 15 Exhibit 10?
 16 MR. DZARA: Objection to form.
 17 A. No, I don't recall anything else.
 18 Q. Okay. I'll move on, but if you
 19 remember something just let us know.
 20 (Gleeson Exhibit 11, e-mail from
 21 Robert Yu to James from February 15, 2012,
 22 2:55 p.m., CC'd to Mr. Gleeson with a
 23 subject "Schedule J," and attachment called
 24 "Schedule J revised", marked for
 25 identification.)

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1 F. Gleeson
 2 BY MR. YI:
 3 Q. I'm showing you what's been marked
 4 as Exhibit 11.
 5 Let me start at the top of the first
 6 page, is that an e-mail from Robert Yu to James
 7 from February 15, 2012, 2:55 p.m., CC'd to you
 8 with a subject "Schedule J," and attachment
 9 called "Schedule J revised"?
 10 A. Yes.
 11 Q. And below that, is that a copy of
 12 James's e-mail to Robert Yu from
 13 February 15, 2012, 1:41 p.m., with -- CC'd to
 14 you with a subject "Schedule J"?
 15 A. Yes.
 16 Q. Okay. In that e-mail, James says to
 17 Robert Yu, "Robert, when you send the new
 18 schedule, also CC Frank."
 19 Do you see that?
 20 A. Yes.
 21 Q. Do you know why James made that
 22 request to Robert?
 23 A. This is what -- I'm thinking this is
 24 related back to -- it was the modification on
 25 Exhibit 8, where it lists -- we list income and

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1 F. Gleeson
 2 expenses. In compiling the list of income and
 3 expenses, I think they're somewhat related. In
 4 other words, the numbers that Robert Yu was
 5 working with and the income and expense on
 6 Exhibit 8, although they don't match exactly,
 7 they were comparable numbers. He was trying to
 8 modify his mortgage here (indicating) while at
 9 the same time this other action was going on
 10 with Robert Yu and the numbers needed to be
 11 relatively the same. So I believe they are all
 12 kind of -- I think, that's why they are carbon
 13 copying me. So I could incorporate the same
 14 numbers from Robert Yu's document into the
 15 income and expense document, related to the
 16 modification. I believe that's why it was
 17 copied to me for.
 18 Q. Okay. The e-mail above from
 19 Robert Yu to James that you were CC'd on, in it
 20 Robert says, "Mr. James Ryu, please see the
 21 advised Schedule J. I tweaked the numbers so
 22 that the disposable income is 1,495."
 23 Do you see that?
 24 A. Mh-hm, yes.
 25 Q. Okay. Do you know what he's talking

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1 F. Gleeson
2 about there?
3 A. Well, he's saying he adjusted
4 numbers. He's using the word "tweaked." But I
5 don't know why, what the relevance of the 1495
6 is. I don't know why.
7 Q. Were you involved in any way in the
8 preparation of this attachment, Schedule J?
9 A. Like I said, they were somewhat
10 related with the modification that he was
11 trying obtain on his home. So I was trying to
12 help James with the income expense numbers. So
13 in this filing here, if you look at the
14 numbers, they are not the same, but they are
15 same, close. But I think they're trying to
16 align the two. Schedule J with the income and
17 expense numbers they were using for the
18 modification.
19 Q. Do you remember why the numbers had
20 to be aligned?
21 A. Well, they needed to be accurate.
22 He had to report the same numbers to those --
23 both entities. If this -- I'm not sure if this
24 is a bankruptcy filing or not. Maybe you would
25 know, but I don't know.

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1 F. Gleeson
2 Q. Do you remember why the numbers were
3 different, that they needed to be aligned?
4 A. Well, they needed to be accurate.
5 So they should pretty close. Anything that he
6 is reporting to on this Schedule J would need
7 to be pretty accurate to any numbers that he's
8 reporting to Bank of America on the
9 modification application so...
10 Q. But is it fair to say that you
11 didn't have any source documents for any of the
12 numbers in Exhibit 8 or Exhibit 11, correct?
13 A. Right. I didn't have any source
14 documents, no.
15 Q. So is it fair to say you would not
16 have not been able to determine the accuracy of
17 these numbers?
18 MR. DZARA: Objection to the form.
19 Asked and answered.
20 A. Yeah, I wouldn't -- I didn't have
21 any source documents to confirm the numbers.
22 They were just given to me by James.
23 MR. DZARA: Off the record.
24 (Discussion held off the record.)
25 (Gleeson Exhibit 12, chain of

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1 F. Gleeson
2 e-mails with an e-mail to James from March
3 8, 2013, 4:46 p.m., with the subject "BOA",
4 marked for identification.)
5 BY MR. YI:
6 Q. I'm showing you what's been marked
7 as Exhibit 12 to your deposition. First I'll
8 ask you about the e-mail on the bottom of
9 page 1 of this exhibit.
10 Is that a copy of your e-mail to
11 James from March 8, 2013, 4:46 p.m., with the
12 subject "BOA"?
13 A. Yes.
14 Q. And subject "BOA" stands for Bank of
15 America, correct?
16 A. Correct.
17 Q. And in that e-mail you say, "James,
18 I spoke to BOA. The appraisal was completed.
19 They are waiting for a workout specialist to
20 review. You should hear something from them by
21 next Friday, 3/15. Everything else is in
22 order."
23 Do you see that?
24 A. Yes.
25 Q. Does this refresh your recollection

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1 F. Gleeson
2 as to what you were doing for James in or about
3 March 2013?
4 A. Yeah, I was helping him with his
5 modification with Bank of America on his
6 mortgage on his New Jersey home.
7 Q. Do you know who owned -- when you
8 say James's New Jersey home, do you know who
9 owned that home?
10 A. I mean, I understood that James and
11 his wife owned it, but I never saw anything to
12 tell me that. But I understood that.
13 Q. Okay. And were you communicating
14 with a representative of Bank of America
15 concerning the modification?
16 A. Yes.
17 Q. Do you recall whether you signed any
18 document submitted to the Bank of America
19 indicating that you were acting on behalf of
20 James and/or his wife?
21 A. No, I don't recall that.
22 Q. Do you recall whether Bank of
23 America ever asked you to submit an
24 authorization letter of some kind to make sure
25 that you were authorized to act on behalf of

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1 F. Gleeson
 2 James and/or his wife?
 3 A. No.
 4 Q. Okay. I'm directing your attention
 5 to the e-mail above that.
 6 Is that copy of James's reply e-mail
 7 to you from the same day at 5:10 p.m., with the
 8 subject "BOA"?
 9 MR. DZARA: Objection to form.
 10 A. It appears to be, but in the e-mail
 11 it says, "Thanks, James." So I don't
 12 understand why he's saying "Thanks, James" when
 13 he's writing the e-mail.
 14 Q. Okay. Is it fair to say he was
 15 thanking you for the information that you were
 16 relaying to him in your e-mail?
 17 MR. DZARA: Objection to form.
 18 A. I don't know. I honestly I don't
 19 know. I don't know why it says "Thanks, James"
 20 when he's replying to me. I don't understand.
 21 Q. Do you remember anything else about
 22 this e-mail correspondence?
 23 A. No.
 24 (Gleeson Exhibit 13, string of
 25 e-mails, marked for identification.)

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1 F. Gleeson
 2 for modification in 2013 was denied?
 3 A. No, I don't, no.
 4 Q. Do you recall any communications
 5 with anybody at Bank of America concerning the
 6 denial?
 7 A. I seem to recall him getting a
 8 letter and showing me a letter saying he was
 9 denied. But I don't remember who that was
 10 from.
 11 Q. Okay. The e-mails in Exhibit 12
 12 seem to indicate that you were the one
 13 communicating with Bank of America in
 14 connection with the request for modification.
 15 A. Mh-hm.
 16 Q. At least in 2013.
 17 Were you the person who was
 18 communicating with Bank of America?
 19 A. I was up until sometime in 2013.
 20 But then I left the bank in 2013 and I was no
 21 longer involved with the process.
 22 Q. Do you remember why James asked you
 23 to communicate with Bank of America?
 24 A. James was not -- I guess he just
 25 wasn't comfortable in putting together the

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1 F. Gleeson
 2 BY MR. YI:
 3 Q. Okay. Before we go onto the next
 4 exhibit, do you remember whether James and/or
 5 his wife ever entered into an agreement to
 6 modify their mortgage loan with Bank of America
 7 in or about 2013?
 8 A. I'm sorry, I was reading. Could you
 9 repeat that?
 10 (Question was read back as follows:
 11 "QUESTION: Before we go onto the
 12 next exhibit, do you remember whether James
 13 and/or his wife ever entered into an
 14 agreement to modify their mortgage loan
 15 with Bank of America in or about 2013?")
 16 A. My understanding was that they were
 17 denied the modification at that time, but then
 18 sometime subsequent, more recently, the
 19 modification was granted. So more recently
 20 being within the last year.
 21 Q. And when you say "the modification
 22 was granted," are you referring to the
 23 modification agreement with Bank of America?
 24 A. Yeah, yes.
 25 Q. And do you remember why the request

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1 F. Gleeson
 2 financial statements, the numbers, the income,
 3 the expenses. He didn't have that -- it wasn't
 4 his background or knowledge or understanding.
 5 So he had asked me to help him
 6 because I, you know, am a financial person. So
 7 I have the knowledge on how to put documents
 8 like those together. So that's why he asked me
 9 to help him with that. So that would be why,
 10 you know, he didn't. He just wasn't
 11 comfortable doing it.
 12 Q. Are you aware of any other reason
 13 why he asked you?
 14 A. No.
 15 Q. Did James ever tell you why he
 16 needed to modify the mortgage loan on his home
 17 in New Jersey?
 18 A. He couldn't afford it. If you look
 19 at his income and expense statement, he
 20 didn't -- you know, he was upside down. The
 21 income was either more -- less than the
 22 expenses or it was very close to the expenses
 23 and he was trying to modify the loan so he can
 24 lower his payment, his mortgage.
 25 Q. Is that based on what he told you or

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1 F. Gleeson
2 is that based on what documents that you
3 reviewed provided by James and/or his wife?
4 A. I would say that that's what he told
5 me.
6 (Gleeson Exhibit 14, multiple
7 e-mails, marked for identification.)
8 A. Do you have any questions on
9 Exhibit 13?
10 Q. Sorry. I forgot I gave you 13,
11 sorry. Yeah, I do. My apologies. I gave you
12 14, but you can set that aside for now.
13 I'm showing you what's been marked
14 as Exhibit 13. I'm going to represent to you
15 that there are two e-mails reflected in this
16 exhibit. Let me start with the one on the
17 bottom the first page.
18 Is that a copy of an e-mail from
19 Eric Kalender to James with CC to you and
20 Karen Whelan from May 28, 2010, 3:33 p.m., with
21 the subject "Kudo Beans"?
22 A. Yes.
23 Q. Can you tell us what you remember
24 about what's discussed in this e-mail?
25 A. Yeah, James is trying to obtain

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1 F. Gleeson
2 financing for Kudo Beans from Mariner's Bank
3 and I had introduced him to Eric Kalender, who
4 I knew indirectly through Karen Whelan, because
5 I used to work for Mariner's Bank. So that was
6 what this was related to. We actually had a
7 meeting with Eric to discuss that and this is
8 an e-mail exchange that James had with Eric.
9 Q. Okay. So is it fair to say that you
10 were copied on these e-mails because you made
11 the introduction?
12 A. Yes.
13 Q. And earlier you testified that a
14 company called Seleste LLC owned both Kudo
15 Beans, which was a cafe, and a hair salon
16 called Luz?
17 A. Yes.
18 Q. Was James trying to get financing
19 from Mariner's Bank for only Kudo Beans, the
20 cafe, or both Kudo Beans and the hair salon?
21 A. I don't remember. Well -- I'm
22 thinking -- I'm guessing, I'm not sure.
23 Q. Just tell us what you remember. I'm
24 not asking you to guess.
25 A. I think he was trying to get

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1 F. Gleeson
2 financing for the entity, not just Kudo Beans.
3 But I believe we met -- we met them at Kudo
4 Beans and actually sat down and had lunch with
5 them at Kudo Beans. So that's why.
6 Q. In this e-mail, Eric refers to Kudo
7 Beans as a restaurant. Do you see that? It
8 says, "The restaurant is absolutely gorgeous."
9 A. Yes.
10 Q. Was it a cafe or restaurant?
11 A. Well, it was a restaurant. You can
12 go there and sit down and order food, yeah.
13 Q. Okay.
14 (Recess is taken.)
15 MR. YI: Can you just remind me
16 where we left off?
17 (Question was read back as follows:
18 "QUESTION: In this e-mail, Eric
19 refers to Kudo Beans as a restaurant. Do
20 you see that? It says, "The restaurant is
21 absolutely gorgeous.")
22 (Answer was read back as follows:
23 "ANSWER: Yes.")
24 (Question was read back as follows:
25 "QUESTION: Was it a cafe or

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1 F. Gleeson
2 restaurant?")
3 (Answer was read back as follows:
4 "ANSWER: Well, it was a restaurant.
5 You can go there and sit down and order
6 food, yeah.")
7 BY MR. YI:
8 Q. Before we move on to the next
9 exhibit, is there anything else you remember
10 about what was discussed in the e-mails as
11 reflected in Exhibit 13?
12 A. No.
13 Q. I'm showing you what's been marked
14 as Exhibit 14.
15 And I'll represent to you that this
16 exhibit consists of multiple e-mails. The
17 first two e-mails were part of the previous
18 exhibit, 13, and we've already gone over those
19 two e-mails. So let's pick up the next e-mail,
20 which starts on the bottom of the first page.
21 Is that a copy of an e-mail from
22 Eric Kalender of Mariner's Bank to James, with
23 CC to you, Karen Whelan, and Donald Estes
24 (phonetic), with the subject "Kudo Beans"?
25 A. Yes.

1 F. Gleeson
 2 Q. By the way, who was Karen Whelan?
 3 A. She was an employee of Mariner's
 4 Bank.
 5 Q. And what about Donald Estes?
 6 A. Also.
 7 Q. Can you tell us what you remember
 8 about what was discussed in this e-mail?
 9 A. James had made an application to
 10 Mariner's Bank for this line of credit for the
 11 business and they -- they declined the request.
 12 Q. Okay. In this e-mail, Eric states,
 13 "We are currently not providing unsecured
 14 commercial lines of credit on businesses with
 15 an operating tenure of less than three years."
 16 Do you see that?
 17 A. Yes.
 18 Q. And do you recall that as the reason
 19 why the application for the loan was denied?
 20 A. Yes.
 21 Q. Do you recall whether there were any
 22 other reasons?
 23 A. No.
 24 Q. Do you remember anything else?
 25 A. No.

1 F. Gleeson
 2 Q. Eric Kalender also says in this
 3 e-mail, "Based upon your personal financial
 4 statement that you submitted, this does not
 5 appear feasible. The only way possible for us
 6 to provide a business line of credit would
 7 require cash collateralization. Please advise
 8 if this might be an option."
 9 Do you see that?
 10 A. Yes.
 11 Q. Do you remember whether -- do you
 12 remember anything about whether James was able
 13 to provide the cash collateralization that Eric
 14 was requesting or Mariner's Bank was
 15 requesting?
 16 A. No, I don't believe he did.
 17 Q. Do you recall James or Seleste LLC
 18 ever obtained a loan from Mariner's Bank?
 19 A. No, I don't believe they did, no.
 20 Q. Do you remember why James was
 21 seeking a loan from Mariner's Bank for Kudo
 22 Beans or Seleste LLC?
 23 MR. DZARA: Objection to form.
 24 A. I believe he was still in the
 25 process of trying to acquire the business. And

1 F. Gleeson
 2 then -- at that -- he was just running -- as I
 3 said earlier, he was just operating those
 4 businesses. At least the hair salon. And he
 5 was still trying to put financing together to
 6 acquire them and that's what this was all
 7 about.
 8 Q. Do you remember whether he ever
 9 acquired either the hair salon or the Kudo
 10 Beans restaurant?
 11 MR. DZARA: Objection to form.
 12 A. I don't remember whether he had or
 13 did acquire it.
 14 Q. Do you remember who the owners of
 15 those businesses were in 2010?
 16 A. No, I never knew who the owners were
 17 of those businesses.
 18 Q. Do you remember James ever telling
 19 you anything about the owners of the hair salon
 20 and the restaurant?
 21 A. There was someone he was working
 22 with who worked there. I don't know if they
 23 were the owners though. I can't remember their
 24 names. It was a husband and wife that were
 25 involved in both businesses, or least the hair

1 F. Gleeson
 2 salon. Whether they were the owners or not, I
 3 don't remember.
 4 Q. During the time that you were
 5 employed at BankAsiana, did you ever become --
 6 withdrawn -- did you ever meet someone by the
 7 name of Eunhee Pak, P-a-k?
 8 A. Yes.
 9 Q. Was she an employee of BankAsiana
 10 during your --
 11 A. She was.
 12 Q. -- while you were employed with the
 13 bank?
 14 A. Yes.
 15 Q. Do you remember what her position
 16 was?
 17 A. She worked in the operations
 18 department.
 19 Q. Did she work out of Palisades
 20 Parkway, the main office of BankAsiana?
 21 A. Yes.
 22 Q. And do you recall whether James told
 23 you that she was -- she owned the hair salon
 24 and Kudo Beans restaurant with her husband?
 25 A. That's what I was referring to. I

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1 F. Gleeson
 2 don't -- I did not know she was the owner of
 3 those businesses, but that's who I was trying
 4 to recall the name of earlier. It was her and
 5 her husband.
 6 Q. Okay. And are you telling us that
 7 based on what James told you?
 8 A. Well, I was in Kudo Beans and saw
 9 her working there. So I knew she worked there.
 10 Q. Did you ever have any communications
 11 with Ms. Pak concerning Kudo Beans?
 12 A. No.
 13 Q. Did you have any communications with
 14 her about the hair salon?
 15 A. No.
 16 Q. Did you ever speak to Ms. Pak's
 17 husband concerning either the restaurant, Kudo
 18 Beans, or the hair salon?
 19 A. No.
 20 Q. Is it fair to say that the only
 21 person you spoke to about the restaurant and
 22 the hair salon was James?
 23 A. Yes.
 24 Q. And just to be clear, what do you
 25 remember James telling you about the ownership

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1 F. Gleeson
 2 of the restaurant and the hair salon?
 3 MR. DZARA: Objection to form.
 4 Asked and answered.
 5 A. I don't know that he ever told me
 6 anything about the ownership. Alls I knew was
 7 that Ms. Pak and her husband worked there.
 8 Whether they were the owners or not, I never
 9 knew that. I don't recall him telling me that.
 10 Q. And is it fair to say that he told
 11 you that he was trying to acquire those two
 12 businesses?
 13 A. Yes, that is fair to say.
 14 (Gleeson Exhibit 15, multiple
 15 e-mails with an e-mail from Eric Kalender
 16 to James from June 3rd, 2010, 9:14 a.m.,
 17 subject "Kudo Beans", marked for
 18 identification.)
 19 (Discussion held off the record.)
 20 BY MR. YI:
 21 Q. I'm showing you what's been marked
 22 as Exhibit 15. And I'll represent to you that
 23 this exhibit consists of multiple e-mails.
 24 We've already gone over some of them.
 25 So this exhibit has two new e-mails

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1 F. Gleeson
 2 which I'll go over with you. So let me go
 3 over -- take a look at the first two e-mails.
 4 Those are the new e-mails I would like to go
 5 over with you.
 6 A. Okay.
 7 Q. On the bottom of the first page, is
 8 that an e-mail from -- a copy of an e-mail from
 9 Eric Kalender to James from June 3rd, 2010,
 10 9:14 a.m., with a CC to you, Karen Whelan, and
 11 Donald Estes, subject "Kudo Beans"?
 12 A. Yes.
 13 Q. And at the top, is that a copy of
 14 James's reply e-mail to Eric Kalender from
 15 June 3rd, 2010, 9:26 a.m., with CC to you and
 16 Karen Whelan and Donald Estes, subject "Kudo
 17 Beans"?
 18 A. Yes.
 19 Q. Can you tell us what you remember
 20 about these two e-mails?
 21 A. James had provided some information
 22 to Mariner's Bank in relation to applying for
 23 the loan and James had asked for them back. So
 24 it's Eric saying that he will send those back
 25 to James. And James is just -- replied, you

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1 F. Gleeson
 2 know, there was no rush to do that. So that's
 3 it.
 4 Q. Okay. And do you remember whether
 5 the documents that were submitted to Mariner's
 6 Bank in connection with this loan application
 7 included James's personal financial statement?
 8 A. Yeah, I believe it did.
 9 Q. Okay. Just going back to Exhibit 3
 10 to your deposition.
 11 A. Yup.
 12 Q. James Ryu's personal financial
 13 statement as of March 31, 2010, was that one of
 14 the documents that was submitted to Mariner's
 15 Bank?
 16 A. I believe so.
 17 Q. Okay. And do you recall who
 18 submitted the documentation in support of the
 19 application to Mariner's Bank, was it you or
 20 James?
 21 A. I don't -- I don't remember.
 22 Q. In the e-mail at the top of the
 23 first page, James says to Eric Kalender, "Eric,
 24 no rush. Let's get together soon for some
 25 potential joint initiatives."

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1 F. Gleeson
 2 Do you see that?
 3 A. Yes.
 4 Q. Do you recall whether you and James
 5 ever got together with Eric or anybody at
 6 Mariner's Bank for any potential joint
 7 initiatives?
 8 A. I don't believe we did.
 9 Q. Is there anything else you remember
 10 about what was discussed in these e-mails?
 11 A. No, I don't recall anything else.
 12 (Gleeson Exhibit 16, multiple
 13 e-mails, marked for identification.)
 14 BY MR. YI:
 15 Q. Before we go onto the next exhibit,
 16 16, do you recall whether BankAsiana had an
 17 employee loan program?
 18 A. An employee loan program? I seem to
 19 think that they did, yeah.
 20 Q. Okay. And do you remember -- could
 21 you just briefly describe that loan program for
 22 us that you remember?
 23 A. I believe the bank offered a lower
 24 interest rate for employees. A mortgage loan
 25 or personal loan of some sort. Sorry. I said

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1 F. Gleeson
 2 I believe the bank offered a lower interest
 3 rate on loans to employees, mortgage loans or
 4 consumer loans of some sort.
 5 Q. And was that a loan program in place
 6 at BankAsiana during the entire time you were
 7 employed there?
 8 A. I don't know about the entire time.
 9 That might have been a benefit that was added
 10 later.
 11 Q. And did you take advantage of that
 12 program?
 13 A. I don't believe so, no. I don't
 14 think I ever had a loan from BankAsiana.
 15 Q. Did you receive or obtain any loans
 16 of any kind or nature from BankAsiana during
 17 your employment?
 18 A. When I first went to work there, I
 19 was given an advance. It wasn't really a loan.
 20 It was an advance before the bank actually
 21 opened. So it wasn't a loan. It was an
 22 advance.
 23 Q. Do you remember how much that was?
 24 A. I'm going to guess \$5,000.
 25 Q. Did you ever -- when you say

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1 F. Gleeson
 2 "advance," you are talking about an advance on
 3 your salary?
 4 A. Yes.
 5 Q. Did you ever pay that back?
 6 A. No.
 7 Q. Why not?
 8 A. I was told I didn't have to.
 9 Q. Who told you that?
 10 A. James and Hong Sik Hur.
 11 Q. The advance that you just mentioned,
 12 that would have been around the time you became
 13 employed by BankAsiana?
 14 A. Yes.
 15 Q. Before they actually received a
 16 charter from the regulators?
 17 A. Yeah, it was actually before that.
 18 Q. So that would have been some time in
 19 2007?
 20 A. Yes.
 21 Q. Do you remember both James and
 22 Mr. Hur both telling you, in essence, Don't
 23 worry about the advance, you don't have to pay
 24 it back?
 25 A. James told me that he had discussed

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1 F. Gleeson
 2 it with Mr. Hur and that I didn't have to pay
 3 it back. I didn't discuss it with Mr. Hur.
 4 Q. Do you know whether James had a
 5 personal relationship of any nature with
 6 Ms. Pak, P-a-k?
 7 A. I believe they were friends.
 8 Q. Do you know if their relationship --
 9 during the time you were at the bank, do you
 10 know whether their relationship was more than
 11 friends?
 12 A. Well, James indicated to me that he
 13 cared for her deeply.
 14 Q. Do you recall -- are those, in
 15 substance, the words that he used or what do
 16 you remember him telling you?
 17 A. That he cared for her. She was
 18 somebody special in his life.
 19 Q. At the time he told you this, James
 20 was married, right?
 21 A. Yes.
 22 Q. And Ms. Pak was also married?
 23 A. I believe so, yes.
 24 Q. Did James ever tell you that he had
 25 an -- he was having an affair with her?

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1 F. Gleeson
 2 A. No, he never used that terminology.
 3 Q. Did he ever tell you, in substance,
 4 that he was having a romantic relationship?
 5 MR. DZARA: Objection. Asked and
 6 answered.
 7 A. Alls I know is that they were good
 8 friends, they were very close, they spent a lot
 9 of time together, and he cared for her. I
 10 don't know, you know, what else to say about
 11 that.
 12 Q. Okay. Thank you.
 13 A. You're welcome.
 14 Q. When you were employed by
 15 BankAsiana, did you have any -- did you own or
 16 operate any businesses of your own?
 17 A. No.
 18 Q. To your knowledge, did any other
 19 bank officers own or operate any businesses of
 20 their own while they were employed by
 21 BankAsiana?
 22 A. No, I don't recall that anyone did.
 23 Q. Is it fair to say that you were
 24 employed on a full-time basis with BankAsiana?
 25 A. Yes.

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1 F. Gleeson
 2 Q. And is it fair to say that James was
 3 employed by BankAsiana on a full-time basis as
 4 well?
 5 A. Correct.
 6 Q. Do you recall any policies and
 7 procedures of BankAsiana that permitted bank
 8 officers or employees from owning and/or
 9 operating businesses of their own during their
 10 employment with the bank?
 11 A. I believe there was a code of ethics
 12 that they had to disclose any other employment
 13 that they had other than BankAsiana or any
 14 other business relationship. In fact, it had
 15 to be, you know, senior-level people,
 16 especially, would have to disclose that
 17 information on an annual basis. That they, you
 18 know, worked somewhere else or they owned a
 19 business or they had some other interest
 20 outside of BankAsiana.
 21 Q. And when you say "code of ethics,"
 22 were they written code of ethics?
 23 A. Yeah, I believe so. It may have
 24 called code of conduct or something. It was
 25 essentially a code of ethics.

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1 F. Gleeson
 2 Q. I'm showing you what's been marked
 3 as Exhibit 16.
 4 A. Okay.
 5 Q. And I'll represent to you that this
 6 exhibit contains multiple e-mails and some of
 7 them, I believe, have your name. So I wanted
 8 to go over those.
 9 Have you had a chance to go through
 10 these?
 11 A. No.
 12 Q. Okay.
 13 (Witness complies.)
 14 A. Half of them are in Korean, so --
 15 Q. I won't be asking you about anything
 16 that is in Korean.
 17 A. -- I can't read that.
 18 Q. Why don't we start with this: Do
 19 you see the name Eunmoo Choi in this e-mails?
 20 A. Yeah.
 21 Q. Was Eunmoo Choi -- withdrawn.
 22 Do you know who Eunmoo Choi is?
 23 A. He was the IT manager at the bank,
 24 I'm going to say, in late 2012 or early 2013.
 25 Q. And do you know -- do you see the

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1 F. Gleeson
 2 name Paul Y. Eom, E-o-m; do you see that?
 3 A. Yes.
 4 Q. And is that the Mr. Eom that -- of F
 5 One Communication, Inc., that we discussed
 6 earlier?
 7 A. Yes.
 8 Q. Okay. So I'm going to ask you to
 9 turn to page 3 of this exhibit, which I believe
 10 has the first e-mail with your name. I'm
 11 directing your attention to the middle of that
 12 page 3.
 13 Is that a copy of Mr. Eom's e-mail
 14 to you from June 23rd, 2013, 9:26 p.m., with CC
 15 to Eunmoo Choi, with the subject "Update,
 16 unfinished project"?
 17 A. Yes.
 18 Q. And can you tell us what you
 19 remember about that e-mail or what's discussed
 20 in that e-mail?
 21 A. Sure. Let me read it.
 22 (Witness complies.)
 23 A. All right. Yes, Eunmoo Choi had
 24 taken an inventory of some equipment and was
 25 missing some equipment. Since Paul Eom had

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1 F. Gleeson
 2 been the IT manager before that, although he
 3 was an outsourced IT manager, Eunmoo's only
 4 source to find out about that equipment was
 5 through Paul Eom.
 6 So Eunmoo had asked Paul Eom about
 7 some equipment that he couldn't locate and Paul
 8 is replying back saying, you know, he had to
 9 check -- check that out and try to find out
 10 what equipment he was referring to and so on.
 11 So that's what that's about.
 12 Q. So do you recall Eunmoo Choi
 13 reporting to you that he was missing some
 14 equipment when he checked the inventory, the
 15 bags of computer equipment inventory?
 16 A. I do, yeah.
 17 Q. And do you recall having
 18 communications thereafter with Paul Eom about
 19 that?
 20 A. Yes.
 21 Q. And do you recall whether you
 22 ever -- whether you were ever able to determine
 23 what had happened to the missing equipment?
 24 A. No, it was still an ongoing process
 25 when I left the bank. So I never knew what --

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1 F. Gleeson
 2 A. Right.
 3 Q. And that there was certain work or
 4 services that should have been performed by F
 5 One Communication that were not performed?
 6 A. Yes, that was -- that was his
 7 impression, that those things weren't done the
 8 way they should have been done.
 9 Q. And did he tell you whether the bank
 10 had already paid for those services or work
 11 that should have been performed?
 12 A. Yes, and I believe we did a little
 13 bit of research at the time to try and match up
 14 the two, as far as what had been paid for and
 15 what we had received, and Eunmoo was working on
 16 that, trying to reconcile the two. And his
 17 initial result was that there was
 18 discrepancies, that the bank had paid for
 19 things that hadn't been completed or equipment
 20 that hadn't been received that was paid for.
 21 Q. Okay. I'll represent to you that
 22 below that e-mail are some statements that --
 23 comments provided by Mr. Choi concerning this F
 24 One Communication matter.
 25 He states, "I reported it to Frank

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1 F. Gleeson
 2 the final outcome of that.
 3 Q. And did Eunmoo Choi ever report to
 4 you, in addition to missing equipment, computer
 5 equipment, did he ever tell you any other
 6 problems or issues relating to F One
 7 Communication?
 8 A. Yeah, I think he didn't feel as
 9 though -- this is my opinion of what Eunmoo
 10 told me, is he didn't feel as though Paul Eom
 11 or F One Communications completed the work that
 12 they were expected to have completed.
 13 So he was looking into that deeper
 14 and then with that process couldn't locate
 15 certain pieces of equipment that the bank
 16 apparently had paid for. And so he was digging
 17 into that with Paul Eom to try and understand
 18 what happened. And that was still ongoing when
 19 I left the bank.
 20 Q. Okay. So Eunmoo Choi reported to
 21 you that there were equipment that the bank
 22 purchased from F One Communication that they
 23 never received --
 24 A. Well, that he couldn't locate.
 25 Q. -- or that he couldn't locate?

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1 F. Gleeson
 2 on July 9, 2013, again, but he left company at
 3 July 12, 2013. So I had to deal with Paul."
 4 Do you see that?
 5 A. Yes.
 6 Q. The date July 12, 2013, is that the
 7 date that you left BankAsiana?
 8 A. I believe so.
 9 Q. On or about?
 10 A. Yeah, on or about, yes.
 11 Q. Okay. And he indicates in these
 12 comments here that he reported this matter to
 13 you on July 9, 2013, does that appear to be
 14 about the timeframe?
 15 A. Yeah, I believe that's the correct
 16 timeframe.
 17 Q. And he says "again," which suggested
 18 he reported this matter to you prior to
 19 July 9, 2013, do you remember that?
 20 A. Yeah, I believe those discussions
 21 started before July 9th, yeah.
 22 Q. Okay. And your testimony -- and I
 23 just want to make sure, your testimony is,
 24 because you left the bank in July 2013, you
 25 don't know what the ultimate outcome was?

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1 F. Gleeson

2 A. Correct. And I had those -- I had
3 discussions regarding Eunmoo's concern with
4 James and Mr. Hur around this time.

5 Q. Okay.

6 A. But, like I said, I left the bank
7 shortly thereafter so I never knew the outcome
8 of it.

9 Q. So the discrepancies relating to F
10 One Communications that you just talked about,
11 were those discrepancies based on information
12 that Mr. Choi provided to you?

13 A. It was based on his research, yeah.

14 Q. Did you, yourself, personally do any
15 research or review any invoices or inventory
16 list to make a determination about the
17 discrepancies?

18 A. I reviewed the material that he
19 provided me, yeah.

20 Q. And did you -- in or about
21 June 2013, did you come to any conclusion
22 yourself about what Mr. Choi was reporting to
23 you?

24 A. No, I did not reach a conclusion,
25 although, I agreed, on the surface, with his

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1 F. Gleeson

2 initial reaction that there was something
3 missing when you compared the two. But I
4 didn't continue to do any additional research
5 because I left the company.

6 Q. Do you know who hired F One
7 Communication, Inc. -- withdraw that.

8 Do you know who referred F One
9 Communication and/or Paul Eom to the bank?

10 A. No, I don't because when I started
11 with the bank in -- before the bank opened, he
12 was already there. So his firm was already
13 installing equipment at that time. So I don't
14 know where he was referred from.

15 Q. Okay. Let me refer you to page 2 of
16 this exhibit.

17 Is that a copy of Mr. Eom's e-mail
18 to you from June 3, 2013, 9:55 a.m., with the
19 subject "Contract"?

20 A. Yes.

21 Q. Can you tell us what you remember
22 about what was discussed in this e-mail by
23 Mr. Eom?

24 A. Yeah, what Paul Eom was saying was
25 that he was closing his business, F One

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1 F. Gleeson

2 Communications. And he was trying to establish
3 a business in Los Angeles. And I believe, at
4 the time of this writing, he was in Los
5 Angeles. And he was saying that he had not
6 completed certain things related to servers
7 with the bank and then he listed out what those
8 things were. And then he also says that he
9 couldn't continue his contract with the bank so
10 he was going to refund the fee he had gotten
11 and he was essentially closing his business.

12 Q. Having reviewed this e-mail, do you
13 remember whether Paul Eom or his company F One
14 Communication, Inc., as he says, broke the
15 contract with BankAsiana or ended the contract
16 with BankAsiana?

17 A. I believe, yeah, he did at that
18 point in time. So what was -- just a little
19 background on Paul Eom and Eunmoo is Paul Eom
20 was essentially the outsourced -- well, was the
21 outsourced IT member for the bank and had been
22 for six years. And Eunmoo Choi was hired to be
23 the internal IT manager of the bank for the
24 ultimate purpose of canceling the relationship
25 with F One Communications. And that was a

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1 F. Gleeson

2 decision made within the bank to do that.

3 So when Eunmoo came in, he was
4 trying to get as much information out of Paul
5 as far as where things stood, what projects
6 were in place, what equipment was coming or
7 going or where it was installed, and all of
8 that. And in Eunmoo's process of doing that,
9 he, you know, he was coming up with these
10 discrepancies. So he was trying to work with
11 Paul and Paul had one foot out of the door --
12 well, Paul was in California at the end here
13 and, you know, Paul, you know, was, I guess,
14 trying to do whatever he could do, but
15 apparently his company was closing down and he
16 wasn't able to provide Eunmoo or the bank with
17 the equipment or the servers or the, in this
18 case, they're talking about a printer. It
19 wasn't -- he hadn't completed it. So that was
20 kind of like just -- it was all -- this is all
21 happening at the time that I was leaving the
22 bank. So Paul was trying to tell me what he
23 was doing here in this e-mail, I mean, closing
24 his business, and this is where some of these
25 matters stood that Eunmoo had questioned. And

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1 F. Gleeson

2 that was the end of his -- going to be the end
3 of his relationship with BankAsiana.

4 Q. Okay. Aside from the discrepancies
5 concerning the equipment and certain work that
6 was to be done by F One Communication, if you
7 look at number five, time-based contract, Paul
8 say in this e-mail to you, "I think bank used
9 around 15 hours or so, but I'm about to refund
10 full amount because I'm asking you to break the
11 contract."

12 Do you recall whether Paul or F One
13 Communication fully refunded that amount to the
14 bank?

15 A. I don't recall whether they did or
16 not. If they did, I'm thinking it would have
17 happened after I left. But I don't recall if
18 they did.

19 Q. Okay. I'm going to ask you to turn
20 to the first page, bottom of the first page.

21 Is that a copy of an e-mail from
22 Eunmoo Choi to you from April 17, 2013,
23 4:48 p.m., with the subject "BankAsiana IT
24 inventory research result"?

25 A. Yes.

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1 F. Gleeson

2 Q. Okay. And in this e-mail Mr. Choi
3 states to you, "I found out some problems with
4 F One during inventory research"?

5 A. Yes.

6 Q. We discussed that already, right?

7 A. Say that again.

8 Q. The problems that he mentions with F
9 One Communications during his inventory
10 research, we already discussed that?

11 A. Actually, this is different.

12 Q. Do you know what he was referring to
13 there?

14 A. Yeah, what he's saying is he did an
15 analysis of all of these servers as far as
16 their capacity and how they were operating and
17 functioning. And came up with some problems
18 with the servers. And for instance he says,
19 "Exchange server, space shortage; Domain
20 server, space shortage; Need file server,
21 current file server is running on domain server
22 and has space shortage."

23 So he was coming up with performance
24 issues, performance problems, in a variety of
25 servers within the bank.

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1 F. Gleeson

2 This isn't necessarily what he was
3 referring to in the equipment that was missing.
4 This is just problems he's seeing within the
5 existing --

6 Q. Right. As I read this e-mail, it
7 appears that Mr. Choi is raising two issues
8 with you in that e-mail.

9 The first is problems with F One
10 Communication that he found during his
11 inventory research.

12 A. Okay.

13 Q. And I believe -- my question to you
14 is: Is he referring to the fact that there was
15 certain equipment that he could not find during
16 in his inventory research?

17 A. Oh, I follow. I follow.

18 Q. And we already discussed that?

19 A. Yeah.

20 Q. And then he says, "Also, I think we
21 have some urgent case with IT for our bank."

22 And he goes on to discuss the
23 various servers and PCs; do you see that?

24 A. Yes.

25 Q. Okay.

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1 F. Gleeson

2 A. Yup.

3 Q. So is it fair to say that in his
4 e-mail he's communicating to you two different
5 sets of problems; one is he did an inventory
6 search or research and discovered that there
7 were equipment that should be on -- it's on the
8 inventory list, but it's not there at the bank
9 where it should be, correct?

10 A. It would seem that way, yeah. But
11 he doesn't give any details. So, yeah.

12 Q. Right. And second problem was that
13 there were issues with the bank's servers and
14 some computers?

15 A. Correct.

16 Q. Do you remember anything else?
17 (Witness complies.)

18 A. I think the last e-mail, at the top
19 there, he's referring to -- we had a company we
20 were doing business with called United Computer
21 and he was communicating with them to -- United
22 Computer was going to come in and to try help
23 resolve some of these issues we were having
24 with the server. I think that was what that
25 was referring to, but other than that I don't

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1 F. Gleeson
 2 have anything else.
 3 Q. Were you still at the bank when
 4 United Computer was asked to come in and help
 5 address some of these IT-related issues?
 6 A. Yeah, we had worked with United
 7 Computer in some other capacity while F One
 8 Communications was there also. We were looking
 9 to upgrade servers and do a whole system
 10 upgrade at that time, so United Computer was
 11 involved in trying to get that ball rolling and
 12 Eunmoo was working with them to get that going.
 13 So that's -- United Computer had been around
 14 for some time.
 15 Q. Okay. Before we go on, do you
 16 remember anything else about F One
 17 Communications and any issues related to F One
 18 Communication?
 19 A. I don't think so, no.
 20 MR. YI: It's now 1:31. I'm not
 21 sure if you were in the room at the time,
 22 but I had suggested we take a short break
 23 for lunch because I anticipate that I, you
 24 know, have a couple more hours at least to
 25 go. I estimated that I could wrap up

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1 F. Gleeson
 2 around by around 3:00, 3:30 based on where
 3 I am in my outline and documents we have
 4 left. I think we have 14 documents left to
 5 cover.
 6 THE WITNESS: Okay.
 7 MR. YI: And Mr. Dzara will have
 8 some questions after I'm done.
 9 (Recess is taken.)
 10 (Question was read back as follows:
 11 "QUESTION: Before we go on, do you
 12 remember anything else about F One
 13 Communications and any issues related to F
 14 One Communication?")
 15 BY MR. YI:
 16 Q. Mr. Gleeson, before we move on to
 17 the next exhibit, which I believe will be 17, I
 18 just want to go back to your employment
 19 history.
 20 We covered your employment with
 21 BankAsiana from 2007 to 2013. After you left
 22 BankAsiana, where were you employed?
 23 A. Noah Bank. Like Noah's Ark, Noah
 24 Bank.
 25 Q. From when to when?

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1 F. Gleeson
 2 A. From July of 2013 to October 2014.
 3 Q. And is that the Noah Bank in New
 4 Jersey?
 5 A. Yeah.
 6 Q. What was your position?
 7 A. I had several positions. I went
 8 there as senior VP of finance, and then became
 9 the chief financial officer, and when I left
 10 there I was chief accounting officer.
 11 Q. So you were hired as senior vice
 12 president of finance and then you became CFO
 13 and then you became chief accounting officer?
 14 A. Right.
 15 Q. Okay. And what were the
 16 circumstances of you leaving the bank?
 17 A. I had an opportunity at Carver
 18 Federal Savings.
 19 Q. Is that C-a-r-v-e-r?
 20 A. Right, in Manhattan. So I left
 21 there and went to Carver and I was the
 22 controller at Carver.
 23 Q. From when to when?
 24 A. I was there from October '14 until
 25 October '16. And they, unfortunately, had a

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1 F. Gleeson
 2 restructuring of the finance department there
 3 and several of us were let go. So I left there
 4 in October of '16. And I was actually
 5 unemployed for about four or five months. And
 6 then, in February of '17, I went to my current
 7 employer which is Empire State Bank in
 8 Newburgh, New York.
 9 Q. That's N-e-w-b-u-r-g-h?
 10 A. Yes. And I'm chief financial
 11 officer there.
 12 Q. When you were employed by Carver
 13 Federal Savings Bank, was your position
 14 controller at all times?
 15 A. Yes.
 16 Q. Now, at Empire State Bank, has your
 17 position always been CFO?
 18 A. Yes.
 19 Q. And are you are currently employed
 20 there?
 21 A. Yes.
 22 Q. So have we covered your employment
 23 history?
 24 A. Yeah, I should have just given you
 25 my resume.

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1 F. Gleeson
 2 Q. Okay.
 3 (Gleeson Exhibit 17, e-mail to James
 4 from January 29, 2010, 3:20 p.m., with a
 5 subject "NJDOBI examination exit meeting,"
 6 marked for identification.)
 7 BY MR. YI:
 8 Q. I'm showing you what's been marked
 9 as Exhibit 17 to your deposition and directing
 10 your attention to the first page of this
 11 exhibit.
 12 Is that a copy of your e-mail to
 13 James from January 29, 2010, 3:20 p.m., with a
 14 subject "NJDOBI examination exit meeting," and
 15 an attachment called the same thing, "NJDOBI
 16 examination exit meeting"?
 17 A. Yes.
 18 Q. And what does the NJDOBI stand for?
 19 A. That's the New Jersey Department of
 20 Banking and Insurance.
 21 Q. The attachment, which starts on the
 22 second page of this exhibit, is that a document
 23 that you prepared?
 24 A. Yes.
 25 Q. Could you describe the document for

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1 F. Gleeson
 2 us?
 3 A. It looks like minutes to the exit
 4 conference at the close of the examination by
 5 the New Jersey Department of Banking and
 6 Insurance examination of the bank and it was
 7 held on January 7th of 2010. It goes through
 8 the discussion of results of the examination of
 9 the banks, the ratings.
 10 Q. Okay. What would you describe --
 11 how would you describe this document, is it --
 12 A. What do you mean?
 13 Q. What would you refer to it as?
 14 A. Minutes to the meeting. The
 15 examining people from the New Jersey Department
 16 of Banking were there and management from
 17 BankAsiana and the examiners went through all
 18 the ratings, how they rate banks. They call
 19 them CAMEL ratings, C-A-M-E-L, it's an acronym
 20 that stands for capital, asset quality
 21 management, earnings, and liquidity. And they
 22 gave a rating on each one of those areas and
 23 then an overall composite rating. And the
 24 rating's on a scale 1 to 5, 1 being the best, 5
 25 being the worst. And the bank was given an

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1 F. Gleeson
 2 overall deposit rating of two, which is
 3 satisfactory. And then it goes into all of the
 4 details of each rating, the capital, the asset
 5 quality, so forth.
 6 Q. Okay. Let's look at the top of
 7 page 2, which appears to list the officers of
 8 BankAsiana who were present at this examination
 9 exit conference --
 10 A. Right.
 11 Q. -- on January 7, 2010.
 12 A. Mh-hm.
 13 Q. There's Mr. Hur, the CEO --
 14 president and CEO. There's James Ryu, senior
 15 vice president and COO. Then there's
 16 Heung Bae Kim, senior vice president and CLO.
 17 Heung is spelled H-e-u-n-g. Bae is spelled
 18 B-a-e.
 19 Do you see that?
 20 A. Yes.
 21 Q. What is CLO?
 22 A. Chief lending officer.
 23 Q. And was Mr. Kim the chief lending of
 24 BankAsiana during your tenure at the bank?
 25 A. He was until 2012 maybe. I don't

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1 F. Gleeson
 2 know, maybe 2011 he left the bank.
 3 Q. When you were first employed by
 4 BankAsiana, was Mr. Kim at the bank?
 5 A. Yes.
 6 Q. So is it fair to say he was one of
 7 the officers, one of the initial group of
 8 officers who began BankAsiana?
 9 A. He was.
 10 Q. And then there's you?
 11 A. Right.
 12 Q. During this examination, the exit
 13 conference of which was held in January 2010,
 14 did the examiners from the New Jersey
 15 Department of Banking and Insurance, did
 16 they -- do you recall them pointing out any
 17 particular issues or problems with the bank?
 18 A. I don't recall anything offhand.
 19 I'm just looking at some of the discussion
 20 here. Capital of the bank was considered well
 21 capitalized, so that's fine. The asset quality
 22 was given strong ratings so that's good.
 23 Management was given a good rating. There was
 24 one violation of the New Jersey statute
 25 requiring that all board of directors minutes

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1 F. Gleeson
 2 be presented at the full board. And I think
 3 there was some issues with the board
 4 attendance. So there was some issue there.
 5 Q. What do you mean by that?
 6 A. New Jersey had a rule, I think they
 7 still do, that says board members have to
 8 attend at least 75 percent of the meetings
 9 held. And I believe there was a -- maybe one
 10 board member who hadn't. Maybe they attended
 11 only 60 percent or so. So they brought that as
 12 a violation.
 13 Then they talk about internal
 14 controls, employees had to take a minimum of
 15 ten consecutive days and not everybody had done
 16 that. That's not a rule, that's a guideline,
 17 and they commented on that.
 18 And they talk about the earnings of
 19 the bank; they had improved. Overall it was a
 20 good examination. A composite rating of two
 21 is, you know, considered a good rating so...
 22 Q. Okay. Other than what you just
 23 testified to, you don't remember any particular
 24 problems or issues raised by the examiners in
 25 January 2010?

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1 F. Gleeson
 2 Brown, whom Vivek Agarwal worked for, he was
 3 the auditor and he had performed an audit of
 4 the Fort Lee branch. And he's presenting a
 5 draft report to Joseph Choi. Joseph Choi may
 6 have been the branch manager at that time in
 7 Fort Lee.
 8 Q. Okay. When we talked earlier about
 9 who the branch manager of the East Fort Lee
 10 branch of the bank was and I had asked you who
 11 was the gentleman or who was the person who was
 12 branch manager prior to him, you believe it was
 13 Joseph Choi?
 14 A. Yes, there was -- I mentioned there
 15 was a woman at one point in time whose name I
 16 can't remember, but I think Joseph Choi was,
 17 for a period of time, the branch manager.
 18 Q. At least in February 2010?
 19 A. Yes.
 20 Q. Okay. And do you remember what
 21 Jessica Kim's was position was as of
 22 February 2010?
 23 A. She was vice president of
 24 operations.
 25 Q. Okay. And what about Ray Broek?

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1 F. Gleeson
 2 A. I don't.
 3 Q. Okay.
 4 (Gleeson Exhibit 18, e-mail from
 5 Vivek Agarwal to Joseph Choi at BankAsiana
 6 and Jessica Kim with CC to Ray Broek, Frank
 7 Gleeson, and James Ryu, with the subject
 8 "Draft branch audit report, Fort Lee
 9 branch," marked for identification.)
 10 BY MR. YI:
 11 Q. I'm showing you what's been marked
 12 as Exhibit 18 to your deposition.
 13 And directing your attention to the
 14 first page of this exhibit, is this a copy of
 15 an e-mail from Vivek Agarwal to Joseph Choi at
 16 BankAsiana and Jessica Kim with CC to
 17 Ray Broek, you, Frank Gleeson, and James Ryu,
 18 with the subject "Draft branch audit report,
 19 Fort Lee branch," with the attachment
 20 "BankAsiana Fort Lee branch audit report
 21 February 2010"?
 22 A. Yes.
 23 Q. Can you tell us what you remember
 24 about what's discussed in this e-mail?
 25 A. Well, this is a Withum, Smith, and

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1 F. Gleeson
 2 A. Ray Broek was the partner with
 3 Withum, Smith, and Brown. Vivek reported to
 4 him.
 5 Let's see. So then they go, on the
 6 next page, giving, I guess, a summary of the
 7 work that they performed. And that's a rating
 8 of satisfactory was given in the next to last
 9 paragraph there.
 10 And then the next page is a summary
 11 of all the procedures that they performed in
 12 the audit. And appendix B of page 3 lists out
 13 the recommendations that Withum, Smith, and
 14 Brown are giving the bank and there was 1, 2,
 15 3, 4, it looks like five.
 16 Q. Okay. So I would like to go over
 17 the recommendations.
 18 A. Okay.
 19 Q. By the way, Vivek was working, at
 20 the time, for the internal auditor of
 21 BankAsiana which was Withum, Smith, and Brown
 22 Global Assurance, right?
 23 A. Yes.
 24 Q. Let's just refer to it as WSB from
 25 now on.

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1 F. Gleeson
2 A. Okay.
3 Q. So Vivek, in this e-mail, is
4 distributing to you and others a draft of the
5 audit report concerning the Fort Lee branch
6 operations of BankAsiana?
7 A. Yes.
8 Q. And in appendix -- appendix A has a
9 list or summary of the audit procedures that
10 they performed concerning the branch
11 operations, correct?
12 A. Yes.
13 Q. And appendix B is a summary of the
14 observations and recommendations of the branch
15 operations at the Fort Lee branch, correct?
16 A. Yes.
17 Q. Okay. And so I would like to, at
18 this time, go over those recommendations.
19 Number one, the first recommendation
20 on page -- it's three pages -- the bottom, it
21 says page 3 of 3?
22 A. Yes.
23 Q. Okay. It says, "Recommendation: It
24 is recommended that the CFO review reports from
25 Shinhan Bank on a quarterly basis to ensure

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1 F. Gleeson
2 that Shinhan Bank is adequately capitalized and
3 the limit of 50 percent is applicable."
4 Do you see that?
5 A. Yes.
6 Q. To your knowledge and recollection,
7 did you, as BankAsiana CFO, follow that
8 recommendation?
9 A. Yes, I did.
10 Q. Okay. Number two, "Recommendation:
11 It is recommended that management should ensure
12 that each branch stays within their daily cash
13 limits."
14 Do you see that?
15 A. Yes.
16 Q. What does that mean?
17 A. Each branch was given a level of
18 cash vault, vault cash, to maintain and not to
19 exceed.
20 Q. And do you remember what that cash
21 limit was at that time?
22 A. No. Let's see. Next to number two
23 there, just above that, it says, "Management
24 will establish daily cash limits of branches as
25 follows: 300,000 for Palisades Park; 150,000

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1 F. Gleeson
2 for Fort Lee."
3 Q. Does that sound right?
4 A. Yeah, it does. And it says that the
5 branch, Fort Lee, exceeded that level for three
6 days in November of 2009 and seven days in
7 January of 2010.
8 Q. Who was -- who at the bank was
9 responsible for the cash that went into the
10 cash vault at the bank's branches?
11 A. The manager would be ultimately
12 responsible.
13 Q. The branch manager?
14 A. Right. The branch manager.
15 Q. So for either the Fort Lee -- the
16 Fort Lee branch, the branch manager at the Fort
17 Lee branch would have been responsible for how
18 much was maintained in the cash vault?
19 A. Yes.
20 Q. Did you have anything to do with
21 that?
22 A. No.
23 Q. Do you recall why the Fort Lee
24 branch had exceeded the daily cash limit on
25 those days indicated in November 2009 and

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1 F. Gleeson
2 January 2010?
3 A. No, I don't recall.
4 Q. "Any excess cash should immediately
5 be shipped out. Alternatively, the policy may
6 be amended to provide for an average cash limit
7 instead of a daily cash limit since the cash
8 shipments are usually done once a week on a
9 fixed day by the branches."
10 Do you recall whether these
11 recommendations were adopted?
12 A. I do seem to recall that the cash
13 limit was increased because it just -- it was
14 considered too low. 150,000 in cash to carry a
15 branch, you know, was too low.
16 Q. And it was increased to how much?
17 From 150,000 to what?
18 A. That I don't know. I don't remember
19 what it was increased to.
20 Q. Do you know who made that decision?
21 A. To increase it?
22 Q. Yes.
23 A. Well, it was a policy. So it would
24 have had to have been approved by the board,
25 ultimately. But it may have been recommended

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1 F. Gleeson
 2 by James or perhaps Jessica to increase it to a
 3 certain level. But I would think, as it was a
 4 policy, it would have had to have gone to the
 5 board.
 6 Q. Do you recall who made the
 7 recommendation to the board to increase the
 8 daily cash limit at the Fort Lee branch?
 9 A. No, I don't. I don't recall that
 10 specifically, no.
 11 Q. But it's just testimony that it
 12 would have been either James or Jessica Kim?
 13 A. Yes.
 14 Q. James because he's the chief
 15 operating officer?
 16 A. Yes.
 17 Q. And Jessica Kim because she was...
 18 A. VP of operations.
 19 Q. Vice president of operations?
 20 A. Yes.
 21 Q. Do you recall whether there was any
 22 written document such as a memo that was
 23 submitted to the board recommending the
 24 increase of the daily cash limit at the Fort
 25 Lee branch?

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1 F. Gleeson
 2 were also noted at Palisades Park branch in
 3 November 2009 and January 2010."
 4 So it appears to be around the same
 5 period of time; do you recall that?
 6 A. Where does it say that?
 7 Q. Page 3 of 3, paragraph 2, right
 8 above --
 9 A. "Exceptions were also noted" -- oh,
 10 okay.
 11 (Witness complies.)
 12 A. I do seem to recall that, yes, I do.
 13 Q. And do you recall whether the daily
 14 cash limit for Palisades Park branch was
 15 increased subsequent to this -- these
 16 recommendations?
 17 A. I don't recall that it was, no. I
 18 mean, it's not uncommon for that cash limit to
 19 be exceeded on a day, you know, here or there.
 20 But when it exceeds it for several days, that's
 21 when, you know, it's an issue. But I don't
 22 recall it being increased in Palisades Park.
 23 That doesn't mean it wasn't, I just don't
 24 recall.
 25 Q. Let's go to the next page, the top

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1 F. Gleeson
 2 A. I would think what would have been
 3 submitted would have been a revised policy,
 4 written policy. Perhaps the company buy a
 5 memo, but the policy would have been delivered
 6 to the board.
 7 Q. Do you recall seeing such a
 8 document?
 9 A. Not anything specifically, no. That
 10 would be the way I would think it would be
 11 handled.
 12 Q. Would the chief financial officer of
 13 the bank be copied on any submission to the
 14 board?
 15 A. Yeah. I would have seen that, yeah.
 16 Q. And do you -- as you sit here today,
 17 do you recall seeing some type of written
 18 submission to the board recommending the
 19 increase of the daily cash limit for the Fort
 20 Lee branch?
 21 MR. DZARA: Objection to form.
 22 A. I don't specifically recall that
 23 document, but I'm just saying how I believe it
 24 would have been handled.
 25 Q. Okay. And it says here, "Exceptions

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1 F. Gleeson
 2 of the last page, 3, "Recommendation: It is
 3 recommended that someone independent of the
 4 branch, e.g., BSA officer or designee, perform
 5 the surprise cash count at the branch on a
 6 monthly basis."
 7 Do you see that?
 8 A. Yes.
 9 Q. First of all, do you know why
 10 they -- why WSB made that recommendation?
 11 A. Well, it's typical procedure to
 12 perform cash counts, unannounced cash counts in
 13 branches. It's just general operating
 14 procedure. So that's why they would make that
 15 recommendation. It's saying that it's
 16 performed by one of the two tellers. Since the
 17 teller's performing the cash count, there's no
 18 element of surprise in the cash count. So I
 19 think there were maybe two tellers in the
 20 branch, plus the branch manager, so I guess
 21 it's saying it defeated the element of
 22 surprise.
 23 Q. So is it fair to say that there were
 24 surprise cash counts that were performed at
 25 each branch from time to time?

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1 F. Gleeson
 2 A. Yes.
 3 Q. And WSB, in particular Vivek
 4 Agarwal, is indicating in this document that
 5 the surprise cash counts were being performed
 6 by one of the two tellers at the branch?
 7 A. Right.
 8 MR. DZARA: Objection. It doesn't
 9 say that. It says tellers can't perform
 10 the surprise cash count because they are
 11 the tellers.
 12 MR. YI: All right. Let me just
 13 rephrase my question by reading this.
 14 BY MR. YI:
 15 Q. "Three, surprise cash counts are
 16 performed by the Fort Lee branch on a monthly
 17 basis. This cash count is performed by one of
 18 the two tellers that the branch has.
 19 Since the teller is performing the
 20 cash count, there is no element of surprise or
 21 independence and it defeats the purpose of a
 22 surprise cash count. It was noted, however,
 23 that the assistant BSA officer, on a quarterly
 24 basis, also performs a surprise cash count."
 25 Do you see that?

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1 F. Gleeson
 2 A. Yeah.
 3 Q. So let me ask you first: The
 4 surprise cash count, does that include cash in
 5 the vault at the branch?
 6 A. It could. Not always, but it could.
 7 Q. Okay. And there's reference to two
 8 tellers at the branch, Fort Lee branch. As of
 9 February 2010, do you remember who they were?
 10 A. Karen Chon was one of them. She was
 11 the operations manager, but she also was a
 12 teller.
 13 Q. Okay.
 14 A. And I don't know who the other one
 15 was honestly.
 16 Q. Okay. Do you remember who the
 17 assistant BSA officer was?
 18 A. Jessica Kim.
 19 Q. The recommendation -- and I'll read
 20 to you and then I'll ask you the question.
 21 "It is recommended that someone
 22 independent of the branch, e.g., assistant BSA
 23 officer or designee, perform the surprise cash
 24 count at the branch on a monthly basis."
 25 Do you know whether that

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1 F. Gleeson
 2 recommendation was followed?
 3 A. I don't know if it was done on a
 4 monthly basis. I know -- I know that Jessica
 5 was doing, as it says above, quarterly cash
 6 counts, but I don't know if it was then
 7 increased to monthly. I'm not sure.
 8 Q. Do you remember whether, after this
 9 recommendation, the bank stopped having either
 10 Karen Chon or the other teller perform the
 11 so-called surprise cash counts?
 12 A. I don't know.
 13 Q. You don't know?
 14 A. No. Do we have -- not to interrupt,
 15 but do we have management's response to this?
 16 Q. Not in any document that I've seen.
 17 A. Okay. Because that would help. You
 18 know, because there would've -- this is a
 19 draft. So there would have been a final with
 20 management's response.
 21 Q. Right. I represent to you that I
 22 have not seen a document that has the
 23 management's response.
 24 A. Okay.
 25 Q. I'm just asking you what you

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1 F. Gleeson
 2 remember, you know, what your knowledge --
 3 A. Right.
 4 Q. -- and recollection is.
 5 A. Yeah.
 6 Q. Do you know whether management of
 7 the bank accepted this recommendation?
 8 A. I would say yes.
 9 MR. DZARA: Are you guessing?
 10 THE WITNESS: Well, I --
 11 MR. DZARA: Because we don't need a
 12 guess.
 13 THE WITNESS: I don't -- that's why
 14 I'm asking for management's response. If I
 15 were responding to this, I would say that
 16 we would follow that recommendation, but,
 17 you know, I don't know.
 18 BY MR. YI:
 19 Q. Just tell us your best recollection.
 20 That's all we are asking for.
 21 A. I would think that it would have
 22 been followed, but without seeing management --
 23 Q. Can you think of anything that leads
 24 you to believe it was not followed?
 25 A. No, no.

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1 F. Gleeson
 2 Q. All right. Let us go to the next
 3 one, "Four, it was noted that Integrated
 4 Compliance Solutions, ICS, has not performed
 5 any regulatory compliance testing for branch
 6 operations for Fort Lee branch since its
 7 opening. The last branch operations audit
 8 performed by ICS was in February 2nd, 2008, for
 9 the Palisades Park branch."
 10 Do you see that?
 11 A. Yes.
 12 Q. Okay. So do you -- do you remember
 13 anything about this?
 14 A. Yes, the Integrated Compliance
 15 Solutions did -- they did not perform financial
 16 audits, they did compliance audits. So
 17 compliance was consumer rules and regulations,
 18 that sort of thing. Not things like, you know,
 19 cash counts or internal controls or anything
 20 like that. So apparently they had not been
 21 doing them on the Fort Lee branch since it
 22 opened. I think it opened at the end of 2008.
 23 So the recommendation here is that the
 24 compliance testing be done for the Fort Lee
 25 branch as it had been for the Palisades Park

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1 F. Gleeson
 2 branch.
 3 Q. Do you know why ICS -- why the bank
 4 did not cause ICS to perform a compliance audit
 5 for Fort Lee branch?
 6 A. No, I don't know why.
 7 Q. Do you remember having any
 8 discussions with anyone at the bank about this?
 9 A. About why it wasn't being done?
 10 Q. Yeah.
 11 A. No, I don't.
 12 Q. Who at the bank made the decision to
 13 have ICS perform compliance audits at the
 14 bank's branches?
 15 A. Well, it was a compliance function.
 16 So James Ryu is the compliance officer who
 17 would've been working with ICS to do those.
 18 Q. Okay. Let's go to the
 19 recommendation under four. "It is recommended
 20 that ICS perform the regulatory compliance
 21 testing for branch operations for Fort Lee
 22 branch as soon as possible."
 23 Do you see that?
 24 A. Mh-hm.
 25 Q. And to your knowledge, did the

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1 F. Gleeson
 2 bank's management accept and follow that
 3 recommendation?
 4 A. Yes, I believe so. I believe I
 5 recall that.
 6 Q. Number five, "It was noted that
 7 combinations to open the safe at the Fort Lee
 8 branch have not been changed since branch
 9 opening."
 10 Do you see that?
 11 A. Yeah.
 12 Q. The word "safe," is that the same as
 13 the vault?
 14 A. Yes.
 15 Q. So that would be what we refer to as
 16 cash vault? It's where the cash is kept?
 17 A. Yes.
 18 Q. "This is important as the branch
 19 manager prior to Joseph Choi is no longer
 20 working with the bank and is aware of the
 21 combinations. Currently the safe requires two
 22 combinations; one is with the branch manager
 23 and the other is with the teller to open."
 24 Do you see that?
 25 A. Yes.

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1 F. Gleeson
 2 Q. What do you remember about the issue
 3 relating to the safe or the vault at the Fort
 4 Lee branch?
 5 A. Well, I do remember that, after
 6 that, the combinations were changed. I do
 7 remember that. As to why it hadn't been done
 8 up to that point, I don't -- I don't have any
 9 knowledge.
 10 Q. Okay. And here there's reference to
 11 Joseph Choi. So the branch manager prior to
 12 Joseph Choi was no longer working for the bank
 13 as of February 2010, you don't remember who
 14 that was, right?
 15 A. I think that's the woman I was
 16 mentioning earlier, but I don't remember her
 17 name.
 18 Q. And it says that the safe requires
 19 two combinations?
 20 A. Mh-hm.
 21 Q. Can you explain that to us? What
 22 does that mean?
 23 A. Yeah, what they normally do is the
 24 combo -- they'll split the combination into
 25 halves, like there might be four numbers in a

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1 F. Gleeson
 2 combination. It's a dial combination. So one
 3 person has the first two numbers and one person
 4 has the second two numbers. So not any one
 5 person can open the safe without somebody else.
 6 Q. Do you remember anything else about
 7 the issue relating to the safe at the Fort Lee
 8 branch and the combinations?
 9 A. No, I don't.
 10 Q. Okay. Let's go to the
 11 recommendation. "It is recommended that safe
 12 combinations be immediately changed by
 13 management and on a periodic basis thereafter
 14 or whenever an employee knowing the combination
 15 leaves the bank."
 16 Do you see that?
 17 A. Yes.
 18 Q. First, do you know whether the
 19 bank's management accepted and followed that
 20 recommendation that the combinations be
 21 immediately changed?
 22 A. Yes, I believe that they did.
 23 Q. Okay. What about the second part?
 24 It says that it be changed on a periodic basis
 25 thereafter.

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1 F. Gleeson
 2 Q. Would that surprise you?
 3 A. Yes.
 4 Q. During the time you were employed at
 5 BankAsiana, would you have known who had the
 6 combinations, the two combinations, to the cash
 7 vault at the Fort Lee branch?
 8 A. Well, I think the branch manager
 9 would have half and most likely Karen would
 10 have had the other half.
 11 Q. And do you know -- when you say
 12 "half," do you have any idea whether they were
 13 numbers or -- I mean, how many digit numbers --
 14 you mentioned four before, two and two?
 15 A. Well, I don't know the particular
 16 safe, but some are only three digits. So
 17 somebody might have the first digit and
 18 somebody else has the second two digits or vice
 19 versa.
 20 Q. Okay.
 21 A. But there were some safes that have
 22 four, and some five digits, depending upon the,
 23 you know, the type of safe. So in that case
 24 it's a little easier to split it up, you know.
 25 Q. But you were not familiar with the

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1 F. Gleeson
 2 A. Well, that's why I'm asking for the
 3 management's response.
 4 Q. I'm just asking what you recall.
 5 A. Yeah, that I don't recall, that it
 6 was changed on a periodic basis going forward.
 7 That I don't recall because I didn't have any
 8 direct knowledge of that.
 9 Q. Do you have any reasons to believe
 10 that the bank's management would not have
 11 accepted and followed any part of this
 12 recommendation?
 13 A. No, I do not.
 14 Q. Are you aware that Karen Chon was
 15 prosecuted and convicted and is in prison in
 16 connection with an embezzlement at BankAsiana?
 17 A. Yes.
 18 Q. And that embezzlement occurred
 19 during the time you were employed with
 20 BankAsiana?
 21 A. Yes.
 22 Q. And are you aware that she had sole
 23 access to the cash vault at the Fort Lee
 24 branch?
 25 A. That, no, I wasn't aware of that.

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1 F. Gleeson
 2 combinations of -- the cash vault combinations
 3 to the safe or cash vault at the Fort Lee
 4 branch during the time you were employed by the
 5 bank?
 6 A. Well, we did -- we did have --
 7 there's -- I do have some direct knowledge of
 8 that. We had to work one Saturday a month at
 9 one or the other branch. So there was times
 10 when I worked in Fort Lee on a Saturday. And I
 11 had half of that combination, was given half of
 12 that combination by the branch manager to open
 13 the safe on a Saturday.
 14 So there were times when I did help
 15 do that and it was split, you know, I had
 16 whatever it was, one or two digits of that
 17 number to open up the safe.
 18 Q. Okay. But you don't remember how
 19 many digits the combination was?
 20 A. I don't, no.
 21 Q. And you mentioned that the branch
 22 manager gave you one combination?
 23 A. Yeah, their half, right.
 24 Q. Okay. When you accessed the cash
 25 vault at the Fort Lee branch during the time

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1 F. Gleeson
 2 that you mentioned, was there always a second
 3 person who provided the balance of the
 4 combination?
 5 A. Yes.
 6 Q. And do you recall who that person
 7 was or persons were?
 8 A. Generally, Karen. Karen Chon.
 9 Q. When you say generally Karen Chon,
 10 were there instances when it was someone other
 11 than Karen?
 12 A. I would say, yes, yeah.
 13 Q. One other person?
 14 A. One of the other -- the other
 15 teller, yeah.
 16 Q. Is it fair to say it would have been
 17 Karen or the other teller?
 18 A. Yeah, yes.
 19 Q. During the time you were with the
 20 bank, did you ever learn that Karen Chon had
 21 both combinations?
 22 A. No.
 23 Q. Did you ever learn that anybody at
 24 the bank had both combinations to the cash
 25 vault at the Fort Lee branch during the time

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1 F. Gleeson
 2 you were employed at the bank?
 3 A. No, I did not.
 4 (Gleeson Exhibit 19, e-mail and
 5 attachment, marked for identification.)
 6 BY MR. YI:
 7 Q. I'm showing you what's been marked
 8 as Exhibit 19.
 9 Is this a copy of -- withdrawn.
 10 Have you ever seen this e-mail and
 11 attachment that's been marked as Exhibit 19 to
 12 your deposition?
 13 A. Have I ever seen it?
 14 Q. Yes.
 15 A. I don't recall seeing it.
 16 Q. Okay. So let me just refer you to
 17 the e-mail portion of this exhibit.
 18 It has the name Jessica Kim,
 19 assistant BSA officer operations administrator.
 20 We have previously talked about
 21 Jessica Kim?
 22 A. Mh-hm.
 23 Q. So as of 2010, or during your tenure
 24 at the bank, is that Jessica Kim -- was that
 25 Jessica Kim's position or title?

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1 F. Gleeson
 2 A. As assistant BSA officer, yes.
 3 Q. And also operations administrator?
 4 A. Yes.
 5 Q. And she worked out of the Palisades
 6 Park branch or the main office of the bank?
 7 A. Yes, she did.
 8 Q. So was the Palisades Park branch
 9 location both a Palisades Park branch and also
 10 the main office of the bank?
 11 A. Yes.
 12 Q. So the branch was on the ground
 13 floor and then, what, was the main office of
 14 the bank on the second floor?
 15 A. It was actually the third floor.
 16 Q. Third floor?
 17 A. Yeah.
 18 Q. Was there something on the second
 19 floor?
 20 A. Yeah, we leased the space. So there
 21 was something else on that second floor.
 22 Q. And so you worked out of the third
 23 floor of 7 Broad Avenue?
 24 A. Right.
 25 Q. And Mr. Hur as well?

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1 F. Gleeson
 2 A. Yes.
 3 Q. And Mr. Kim, the chief lending
 4 officer?
 5 A. He was actually on the first floor.
 6 He was -- he had an office in the branch.
 7 Q. Let me just direct your attention to
 8 this document starting on the second page of
 9 the exhibit that's titled "BSA/AML report
 10 May 13, 2010"?
 11 A. Yup.
 12 Q. Do you recognize this document or
 13 this report?
 14 A. It looks like the same as the other
 15 report we just looked at, as far as the
 16 findings or the recommendations. Only this one
 17 has the management responses that I was talking
 18 about.
 19 Q. Oh, okay. Well, so I --
 20 A. It's laid --
 21 Q. -- stand corrected.
 22 A. It's laid out differently but...
 23 Q. Okay. Do you know who the author of
 24 this report is?
 25 A. Just from the cover of the e-mail, I

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1 F. Gleeson
 2 would suspect it would be Jessica Kim.
 3 Q. Okay.
 4 A. Yeah, so these are the responses to
 5 these questions.
 6 Q. All right. So why don't we quickly
 7 go through this.
 8 Okay. So the WSB's recommendation
 9 that the CFO review reports from Shinhan Bank
 10 on a quarterly basis -- the CFO being you --
 11 A. Mh-hm.
 12 Q. -- Management's response is "Shinhan
 13 Bank's financials have been reviewed and will
 14 continue to be monitored on a quarterly basis.
 15 The CFO will maintain documentation to support
 16 this review."
 17 Do you see that?
 18 A. Yes.
 19 Q. And is that consistent with what you
 20 remember?
 21 A. Yes.
 22 Q. The next one, I'll just go to the
 23 management's response if that's okay.
 24 "The policy has been amended to
 25 provide for average cash levels to accommodate

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1 F. Gleeson
 2 the frequency of cash shipments."
 3 Do you see that?
 4 A. Yes, I do.
 5 Q. Can you explain that to us?
 6 A. Well, the recommendation from WSB
 7 was that cash shipments be more frequent,
 8 right?
 9 Q. But previously we talked about the
 10 fact that you believe that, based on the
 11 recommendation of WSB concerning the cash
 12 maintained at Fort Lee branch, that the cash,
 13 daily cash limit, was increased?
 14 A. Yeah, I seem to recall that, but it
 15 doesn't say that here.
 16 Q. Okay. But that's still your
 17 recollection?
 18 A. I believe it was. At some point or
 19 another, I believe they increased the cash
 20 level there for this very reason, but I could
 21 be wrong. But that's what I seem to recall.
 22 Q. Okay. Let's go to the next one,
 23 management response to the next recommendation,
 24 "The operations administration department will
 25 perform surprise cash counts at the branch on a

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1 F. Gleeson
 2 monthly basis."
 3 Is that consistent with your
 4 recollection?
 5 A. Yes.
 6 Q. And by "operations administration
 7 department," is it your recollection that it
 8 was Jessica Kim, the operation administrator --
 9 A. Yes.
 10 Q. -- who performed the surprise cash
 11 count?
 12 A. Yes.
 13 Q. And that was done on a monthly
 14 basis?
 15 A. Yes.
 16 Q. Next one is management's response,
 17 "ICS will be contacted to perform regulatory
 18 compliance testing for each branch office."
 19 Do you see that?
 20 A. Yes.
 21 Q. And that's consistent with your
 22 recollection?
 23 A. Yes.
 24 Q. And do you know whether ICS
 25 performed regulatory compliance testing at the

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1 F. Gleeson
 2 Fort Lee branch?
 3 A. I do recall that they did, yes.
 4 Q. Was that done annually, by the way,
 5 if you recall?
 6 A. I don't recall. It should have
 7 been, but I don't recall if it was.
 8 Q. Okay. The next management response
 9 is "Combinations have been changed in the Fort
 10 Lee branch"?
 11 A. Mh-hm.
 12 MR. DZARA: You have to say yes or
 13 no.
 14 A. Yes.
 15 Q. Do you know whether -- in addition
 16 to changing the combinations immediately,
 17 whether the bank's management also changed the
 18 combinations periodically as recommended?
 19 A. That I don't know.
 20 Q. What does AML stand for?
 21 A. Anti money laundering.
 22 Q. During your tenure at the bank, who
 23 was responsible for filing suspicious activity
 24 reports?
 25 A. James.

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1 F. Gleeson
 2 (Gleeson Exhibit 20, e-mail to James
 3 and Jessica Kim from May 20, 2010,
 4 11:18 a.m., marked for identification.)
 5 BY MR. YI:
 6 Q. I'm showing you what's been marked
 7 as Exhibit 20.
 8 First, let me direct your attention
 9 to the bottom. Is that a copy of your e-mail
 10 to James and Jessica Kim from May 20, 2010,
 11 11:18 a.m. --
 12 A. Yup.
 13 Q. -- subject "Fort Lee audit
 14 response"?
 15 A. Yes.
 16 Q. Is it fair to say that in this
 17 e-mail you were making some suggested revisions
 18 to the management's response to one of the
 19 recommendations made by WSB?
 20 A. Yes.
 21 Q. Okay. And the management's response
 22 that you were suggesting was, "It should be
 23 noted that surprise cash had been completed by
 24 the operations administration department on
 25 five separate occasions throughout 2009."

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1 F. Gleeson
 2 A. Yeah, that's what it looks like.
 3 Q. And my question is: Do you recall
 4 whether what you had suggested as the
 5 management's response concerning the surprise
 6 cash count at the Fort Lee branch was
 7 ultimately adopted?
 8 A. I don't. I don't recall. That's
 9 why I'm saying, if we had the final report with
 10 management's response, then we would know.
 11 Because I was having discussions -- I'm just
 12 looking at what was written here -- with WSB.
 13 Q. Let me ask you: You said, "Further,
 14 it has been the practice for the branch to
 15 perform internal surprise cash counts on a
 16 monthly basis."
 17 And we talked earlier about the fact
 18 that the branch had the practice of having one
 19 of two tellers at the branch --
 20 A. Right.
 21 Q. -- perform these surprise cash
 22 counts and we talked about, well, that couldn't
 23 really be a surprise cash count then.
 24 A. Right.
 25 Q. Yet, you are saying here, "Further,

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1 F. Gleeson
 2 Further, it has been the practice for the
 3 branch to perform internal surprise cash counts
 4 on a monthly basis. Management feels that this
 5 practice is sufficient to provide for monthly
 6 internal surprise cash counts and at least
 7 quarterly cash counts from the operations
 8 administration department."
 9 Do you see that?
 10 A. Yes.
 11 Q. Do you recall whether your suggested
 12 revision or revised response was adopted in the
 13 final version?
 14 A. Well, I'm just looking at the
 15 document, Exhibit 19, where it says, "The
 16 operations administration department will
 17 perform surprise cash counts at a branch on a
 18 monthly basis." And that's dated May 13th. So
 19 I don't know that they changed their response
 20 to mine or not because they are a little bit
 21 different.
 22 Q. Right. But is it fair to say that
 23 in your e-mail you are suggesting revised
 24 responses -- or response to this recommendation
 25 after this May 13, 2010, document?

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1 F. Gleeson
 2 it has been the practice for the branch to
 3 perform internal surprise cash counts on a
 4 monthly basis. Management feels that this
 5 practice is sufficient."
 6 Do you see that?
 7 A. Yeah.
 8 Q. Do you remember why you suggested
 9 this revision?
 10 A. Normally the branch manager is part
 11 of that process, not the tellers. So the
 12 branch manager should be performing the
 13 surprise cash count, not the tellers. So
 14 that's what Withum, Smith, and Brown was
 15 bringing out, was that the tellers were doing
 16 it. And what I'm saying here is that the
 17 surprise cash count should be done and that
 18 should of included the branch manager.
 19 Q. But that's not exactly what it says?
 20 A. It's not exactly what it says.
 21 Q. But that's what you meant to say?
 22 A. Yes. It needs to be an independent
 23 party as part of that process. And when it's
 24 not an independent party then, you know, it can
 25 be an issue.

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1 F. Gleeson
 2 Q. Right. But your understanding of
 3 WSB's recommendation was that it should be
 4 someone external, meaning somebody who doesn't
 5 work at the branch, perform the surprise cash
 6 counts?
 7 A. Well, not necessarily somebody that
 8 doesn't work in the branch, somebody who
 9 doesn't handle the cash. So the branch manager
 10 wouldn't be one to handle the cash so they
 11 could be a likely alternative to a surprise
 12 cash count. I have been a branch manager in my
 13 day so I know. I have done it. So I would
 14 perform surprise cash counts.
 15 Q. Right. But I represent to you, as
 16 we went through Exhibit 18, that WSB's
 17 recommendation was that the surprise cash count
 18 should be done by somebody outside the branch.
 19 A. Outside the branch.
 20 MR. DZARA: It's says -- that's
 21 wrong. It says "assistant BSA management
 22 or their designee." I don't know if I
 23 believe that this is completely relevant
 24 fully to this case, but I do want to
 25 correct the record. That's not what it

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1 F. Gleeson
 2 says and we should move on because this
 3 deposition is taking a long time.
 4 (Document review.)
 5 A. Yeah, assistant BSA officer.
 6 Q. Right. It says, "It is recommended
 7 someone independent of the branch perform the
 8 surprise cash count."
 9 Right?
 10 A. That's what it says, yeah. So do
 11 you have the final report that has the final
 12 management response?
 13 Q. Well, I can only give you -- show
 14 you what I have and I couldn't tell you. I'm
 15 not here to testify.
 16 A. Well, that would be helpful.
 17 Q. Okay. But I just want to make sure
 18 that I understand. Your testimony is that
 19 after WSB's recommendation concerning the
 20 surprise cash count, your recollection is that
 21 it was Jessica Kim, the operations
 22 administrator of the bank, who performed the
 23 surprise cash counts going forward?
 24 A. Or perhaps, as David said, her
 25 designee. She might have had somebody else --

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1 F. Gleeson
 2 MR. DZARA: I can't testify either.
 3 A. -- from the operation's department.
 4 Q. Okay. So it would have been either
 5 Jessica Kim or her designee --
 6 A. Right.
 7 Q. -- from operations administration?
 8 A. From operations, which would
 9 independent of the branch.
 10 Q. Okay.
 11 (Gleeson Exhibit 21, e-mail from
 12 Vivek Agarwal of WSB to Mr. Gleeson and
 13 James from August 20, 2010, 3:36 p.m., with
 14 the subject "Audit reports", marked for
 15 identification.)
 16 (Document review.)
 17 BY MR. YI:
 18 Q. Okay. I'm showing you what's been
 19 marked as Exhibit 21.
 20 I would like to direct your
 21 attention to the bottom of the first page. Is
 22 that a copy of an e-mail from Vivek Agarwal of
 23 WSB to you and James from August 20, 2010,
 24 3:36 p.m., with the subject "Audit reports"?
 25 A. Yes.

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1 F. Gleeson
 2 Q. And even though the e-mail doesn't
 3 seem to indicate an attachment in his e-mail,
 4 Mr. Agarwal states, "Please find attached the
 5 draft risk assessment report."
 6 And then I'll represent to you that
 7 the attachment follows.
 8 Do you recall seeing this
 9 attachment?
 10 A. Yeah, they -- WSB presented an
 11 audit, this document to the audit committee of
 12 the board every year. So yeah, I do recall
 13 seeing these reports.
 14 Q. Okay. So this is essentially WSB
 15 performing an internal audit of the bank and
 16 then submitting its internal audit report to
 17 the audit committee of the board of directors
 18 of BankAsiana?
 19 A. No. This is -- annually, WSB would
 20 do a risk assessment of the bank to determine
 21 where the risks were and they would rank all of
 22 those risks high, medium or low. And from that
 23 ranking determine what areas they were going to
 24 audit in that coming year.
 25 Q. Okay. So was the risk assessment

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1 F. Gleeson
 2 concerning -- were they indicating -- what year
 3 were they indicating they would audit?
 4 A. Well, they're doing a risk
 5 assessment for 2010 and 2011. So I would think
 6 that their audit plan would then be for 2011.
 7 Q. What was the bank's fiscal year?
 8 A. The calendar year.
 9 Q. The calendar year?
 10 A. Yeah. But I'm trying to remember, I
 11 think their audit year -- sometimes the audit
 12 year differs. I think their audit year was
 13 like July to June. You know what I mean, they
 14 did their audit plan based on a July-to-June
 15 year, not fiscal.
 16 Q. So based on the fact that this
 17 e-mail was sent on August 20, 2010, are they
 18 indicating that they are going to do an
 19 internal audit which would include a certain
 20 risk assessment, evaluations, and reviews for
 21 the audit year of July 2010 to June 2011?
 22 A. I would think so, but I've got to
 23 kind of read it and see.
 24 Q. Okay.
 25 (Witness complies.)

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1 F. Gleeson
 2 Is this a copy of an e-mail from
 3 Jessica Kim to you from September 13, 2010,
 4 10:32 a.m., with CC to James with a subject
 5 "Suggestion of installment saving account
 6 restriction"?
 7 A. Yes.
 8 Q. Can you tell us what you remember
 9 about this?
 10 A. Give me a minute here.
 11 (Witness complies.)
 12 A. The bank had a product called
 13 installment savings. They also sometimes
 14 referred to it as club savings. And it was
 15 like a saving plan for people, the customers,
 16 if they wanted to save -- if you look at
 17 page 2 -- if they wanted to save \$20,000, which
 18 is the far-right column, and they wanted to do
 19 that in 12 months, it tells them how much they
 20 would need to put in the bank each month, you
 21 know, to do that.
 22 Do you see what I'm saying? So if
 23 you wanted to save \$20,000 in 12 months, you'd
 24 have to put \$1,644.31 a month in the bank at
 25 the rate of 2.53 percent to get to your goal.

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1 F. Gleeson
 2 A. Yeah, I believe it's from July 2010
 3 to June of 2011.
 4 Q. Okay.
 5 A. Yeah.
 6 Q. And just to be clear, WSB was the
 7 only entity which was responsible for
 8 performing internal audit of BankAsiana during
 9 your tenure at the bank?
 10 A. Yes.
 11 Q. There was no other person or entity
 12 responsible for that function?
 13 A. Right.
 14 Q. And ICS Compliance, ICS or
 15 Integrated Compliance Solutions, was the sole
 16 entity that was responsible for compliance
 17 auditing for BankAsiana during your tenure?
 18 A. Yes, yup.
 19 (Gleeson Exhibit 22, e-mail from
 20 Jessica Kim to Mr. Gleeson from September
 21 13, 2010, 10:32 a.m., marked for
 22 identification.)
 23 BY MR. YI:
 24 Q. I'm showing you what's been marked
 25 as Exhibit 22.

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1 F. Gleeson
 2 So it was a recommendation on
 3 offering this account.
 4 Q. The attachment to this e-mail --
 5 first of all, do you see the reference to
 6 Wilshire State Bank at the bottom of this
 7 e-mail?
 8 A. Yeah, okay. I see that.
 9 Q. Okay. The rainbow saving plan
 10 that's described, starting on the second page
 11 of this exhibit, was that from Wilshire State
 12 Bank?
 13 A. Yeah, I believe what she was doing
 14 is showing other bank's products. Making a
 15 recommendation that we offer something like
 16 this to, you know, to compete. So she shows
 17 Wilshire State Bank's product was called a
 18 rainbow savings. Narrow Bank's was called
 19 piggy bank savings account. And New Bank was
 20 called something.
 21 Q. Okay. Just to summarize, is this an
 22 e-mail in which Jessica Kim is recommending
 23 that BankAsiana begin an installment saving
 24 account program?
 25 A. That's what I recollect.

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1 F. Gleeson
 2 Q. And she's showing you the type of
 3 program that's available from other
 4 Korean-American banks?
 5 A. Right.
 6 Q. That's all that is?
 7 A. That's all -- yeah, that's all it
 8 was.
 9 (Gleeson Exhibit 23, multiple
 10 e-mails, marked for identification.)
 11 MR. YI: Off the record.
 12 (Discussion held off the record.)
 13 BY MR. YI:
 14 Q. I'm showing you what's been marked
 15 as Exhibit 23.
 16 And I represent to you that this
 17 exhibit consists of multiple e-mails and it
 18 appears that you were copied on the e-mail --
 19 A. Mh-hm.
 20 Q. -- e-mails they show here.
 21 Can you tell us what was discussed
 22 in this e-mail correspondence?
 23 A. You want me to start from the front
 24 or the back?
 25 Q. Why don't we start at the back, the

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1 F. Gleeson
 2 very first e-mail appears to be an e-mail
 3 from --
 4 A. Maureen Hemhauser.
 5 Q. At ICS Compliance?
 6 A. Right. That was the compliance
 7 firm. She's talking here about scheduling a
 8 compliance committee meeting. The e-mail was
 9 sent to Jessica, James, and myself and that
 10 she's having somebody else do the performance
 11 compliance monitoring the following week and
 12 what they were going to be doing, the red flags
 13 and possible signage review. And then another
 14 e-mail, but it looks, to me, like they are just
 15 trying to schedule compliance reviews.
 16 Q. She was trying to schedule ICS's
 17 compliance audit of the Fort Lee branch as
 18 recommended by WSB?
 19 A. Well, where does it say Fort Lee
 20 branch?
 21 Q. No, I'm just asking.
 22 A. Oh, I don't see that anywhere. They
 23 are talking about scheduling a compliance
 24 committee meeting and then somebody from ICS
 25 was going to come in and do the red flags

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1 F. Gleeson
 2 review which is a completely different -- it's
 3 not necessarily related to Fort Lee.
 4 Q. Okay.
 5 A. And the branch signage review, that
 6 might involve Fort Lee, where they go out and
 7 check to make sure the proper signs are posted
 8 by the compliance rules.
 9 Q. Okay.
 10 A. And it just looks like they are
 11 trying to schedule.
 12 Q. Okay. Thank you.
 13 (Gleeson Exhibit 24, e-mail from
 14 Jessica Kim to various individuals at
 15 BankAsiana, marked for identification.)
 16 (Witness complies.)
 17 BY MR. YI:
 18 Q. I'm showing you what's been marked
 19 as Exhibit 24.
 20 Is this a copy of an e-mail from
 21 Jessica Kim to various individuals at
 22 BankAsiana, with CC to you and others, with a
 23 subject "Operations officer meeting," with the
 24 attachment "Officer meeting 5/25/2011"?
 25 A. Yes.

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1 F. Gleeson
 2 MR. YI: Off the record.
 3 (Discussion held off the record.)
 4 BY MR. YI:
 5 Q. Is there anything here that's
 6 pertinent to the Fort Lee branch operations?
 7 A. Yes.
 8 Q. Can you tell us which?
 9 A. I would say all of them. It is
 10 related to branch -- it's branch operations
 11 related.
 12 Q. Okay.
 13 A. Affecting dormant inactive accounts,
 14 the daily procedures, monthly procedures for
 15 dormant accounts. So there's certain
 16 procedures that she's directing the branch
 17 operations staff to conduct when handling
 18 dormant and inactive accounts.
 19 Q. Okay. These -- this internal
 20 memorandum has nothing to do with certificates
 21 of deposit accounts at BankAsiana?
 22 A. No, it wouldn't. Certificates of
 23 deposit don't normally go dormant.
 24 Q. Right. So they are just talking
 25 about checking or savings?

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1 F. Gleeson
 2 A. Checking or savings, yeah.
 3 (Gleeson Exhibit 25, e-mail from
 4 Jessica Kim to individuals who were
 5 employed at BankAsiana with a CC to Mr.
 6 Gleeson and others from June 16, 2011,
 7 11:32 a.m., marked for identification.)
 8 BY MR. YI:
 9 Q. I'm showing you what's been marked
 10 as Exhibit 25.
 11 Is this a copy of -- is the first
 12 page indicating an e-mail -- withdrawn.
 13 Is Exhibit 25 a copy of an e-mail
 14 from Jessica Kim to individuals who were
 15 employed at BankAsiana at the time with a CC to
 16 you and others from June 16, 2011, 11:32 a.m.,
 17 with a subject "Operation officer meeting
 18 6/16/2011," and with an attachment starting
 19 with "Officer meeting 6/16/2011"?
 20 A. Yes.
 21 Q. "CIP risk rating and account opening
 22 procedures April 2011. Branch self-assessment
 23 for 2011"?
 24 A. Yes.
 25 Q. Okay. And if you could just turn to

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1 F. Gleeson
 2 the -- starting the second page of this
 3 exhibit, the internal memorandum, which is the
 4 attachment to this e-mail.
 5 A. Mh-hm.
 6 Q. Can you just point out to us what in
 7 this internal memorandum relates to the branch
 8 operations at the Fort Lee branch, if any?
 9 A. Well, yeah, again, it would all
 10 relate to any branch. They are giving wire
 11 instructions and particular SWIFT instructions,
 12 SWIFT wires.
 13 Q. So this internal memorandum has to
 14 do with wire transfer transactions?
 15 A. Wire transfers and also CIP risk
 16 ratings. CIP risk ratings have to do with BSA,
 17 where you have to risk rate customers.
 18 Customer information profile I think is what
 19 CIP stands for.
 20 Q. I'm sorry, what does CIP stand for?
 21 A. I think it's customer information
 22 profile. Let me see. I could be wrong on
 23 that. Yeah, customer -- yeah, customer
 24 information profile. So it's all the
 25 procedures to follow when opening new accounts

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1 F. Gleeson
 2 and how to determine that the customer is who
 3 they say they are and all the documentation
 4 that has to be completed for BSA purposes.
 5 Q. Okay. I'm going to ask you to turn
 6 to page 4 of the internal memorandum and
 7 there's what appears to be a little bit of a
 8 schedule, a table, and there is a product and
 9 services column indicating checking, savings,
 10 money markets, CD -- CD is certificate of
 11 deposit, right?
 12 A. Yes.
 13 Q. Certificate of deposit accounts.
 14 And it has these ratings of low for
 15 corporate under the liability company
 16 partnerships?
 17 A. Mh-hm.
 18 Q. Do you see that?
 19 A. Yeah.
 20 Q. What is that indicating?
 21 A. When you are opening up a new
 22 account for a new customer, these products all
 23 have different risk ratings depending upon
 24 activity in the account. So they are given,
 25 you know, for instance, a main deposit account

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1 F. Gleeson
 2 or checking account would have a higher risk
 3 because there's more activity going on in that
 4 account. So it's given a higher rating.
 5 Whereas a CD has very low activity,
 6 so it wouldn't be given as high as a rating
 7 from a customer information profile
 8 perspective. It's purely for BSA purposes.
 9 Q. So the higher the frequency of
 10 transactions, bank transactions, relating to
 11 these accounts, the higher the risk assessment
 12 would be?
 13 A. Right.
 14 Q. The fewer the transactions, the risk
 15 assessment rating would be lower?
 16 A. Right.
 17 Q. So a CD account, if it's a one-year
 18 CD, three-year CD, five-year CD, because it has
 19 such few transactions, you would have a low
 20 risk assessment rate?
 21 A. Right, from a customer information
 22 perspective. Not necessarily from an internal
 23 control perspective, but from a customer --
 24 know-your-customer kind of perspective.
 25 Q. Whether the transaction is

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1 F. Gleeson

2 authorized?

3 A. Or no, knowing whether the customer
4 is who they say they are and that they are not
5 going to have a likelihood to perform, you
6 know, fraudulent transactions with the account
7 for BSA purposes. It's really -- it's a risk
8 rating for BSA specifically.

9 Q. "Know your customer" meaning verify
10 the identification of the customer --

11 A. Right.

12 Q. -- check the driver's license,
13 passport, whatever type of ID --

14 A. Right. All the documentation.

15 Q. -- and if there's a power of
16 attorney, make sure it's the proper power of
17 attorney?

18 A. Right, yeah.

19 Q. Okay.

20 (Gleeson Exhibit 26, Karen Chon's
21 e-mail to Mr. Gleeson, James Ryu, and
22 others at BankAsiana from September 16,
23 2001, 12:43 p.m., marked for
24 identification.)

25 BY MR. YI:

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1 F. Gleeson

2 Q. I'm showing you Exhibit 26.

3 Is this a copy of Karen Chon's
4 e-mail to you, James Ryu, and others at
5 BankAsiana from September 16, 2001, 12:43 p.m.,
6 with CC to Mr. Hur and Mr. Taikyo Suh -- that's
7 T-a-i-k-y-o, last name S-u-h -- with the
8 subject "Daily report 9/15/11," and the
9 attachment "Daily balance sheet"?

10 A. Yes.

11 Q. Who is Taikyo Suh?

12 A. He was the branch manager, TK Suh,
13 who I mentioned earlier. I think he was the
14 branch manager at, you know...

15 Q. Fort Lee branch?

16 A. At the -- the last branch manager,
17 let's put it that way.

18 Q. Thank you.

19 Was Mr. Kim, who received this
20 e-mail, is that the chief lending officer?

21 A. Yes.

22 Q. And who is Mr. Chan Mai Park?

23 A. She was a branch manager in
24 Palisades Park.

25 Q. So is it fair to say that Karen Chon

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1 F. Gleeson

2 is sending to all of you indicated here,
3 including the CC to Mr. Hur and Mr. Suh, her
4 daily report for the transactions that occurred
5 on October 20, 2017, at the Fort Lee branch?

6 A. The top half of the report is the
7 breakdown of all the different deposit products
8 in the branch and what the balances were. So,
9 for instance, a personal free checking balance
10 at 820,000 on 12/31/2010.

11 And then she gives last month's
12 balance, last week's balance, yesterday's
13 balance, you know, and each product is rated
14 the same way. And then the bottom section
15 under Remark, is the activity for that
16 particular day. So they are opened two, looks
17 like, I don't know what type of accounts,
18 checking, free checking accounts. They opened
19 some business accounts, you know, so that's
20 like daily activity in the branch.

21 Q. Okay. So is it -- do you
22 remember -- I ask, because the subject of this
23 e-mail was "Daily report."

24 A. Yeah.

25 Q. And it's 9/15/2011.

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1 F. Gleeson

2 A. Right.

3 Q. But the attachment appears to be
4 October 20, 2017.

5 A. I don't know why it's...

6 Q. I'll have to check that.

7 But here's my question, though. My
8 question is: During your tenure at the bank,
9 do you remember did Karen Chon, as the
10 operations manager at the Fort Lee branch, did
11 she distribute a daily report to certain
12 officers at the bank, including you?

13 A. Yes, she did. I don't recall if it
14 was every day or if it was -- she says "daily
15 reports" so I would assume it was daily. But,
16 yeah, it was a report that she generated.

17 Q. And would it have been in this form,
18 which is attached to the e-mail, and I'm not
19 representing to you that this is the correct
20 attachment to this e-mail --

21 A. Yeah, right.

22 Q. -- but does this form -- are you
23 familiar with this form?

24 A. I recall seeing it, yeah.

25 Q. And so when you received the daily

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1 F. Gleeson
 2 report from Karen Chon, was it in --
 3 substantially in this form?
 4 A. Yes. Yeah.
 5 Q. Okay. So the top half would sort of
 6 show you -- it would be more of a balance
 7 sheet?
 8 A. Right.
 9 Q. And the bottom half would be the
 10 actual transactions for that day?
 11 A. Some of them, yes. It may not be
 12 all the transactions, but it looks like it was
 13 like some of the major transactions of that
 14 particular day. I would think there would be a
 15 lot more than ten transactions in the branch
 16 for the day so...
 17 Q. To your knowledge, was Karen
 18 supposed to include all of the transactions for
 19 the day in her daily report?
 20 A. No, she was tracking -- and I think
 21 the other branches did the same thing -- any
 22 significant fluctuations in certain accounts.
 23 Q. But not necessarily every single
 24 transaction?
 25 A. Correct.

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1 F. Gleeson
 2 A. Yes.
 3 Q. Do you recognize anybody else on
 4 this worksheet?
 5 A. No, I don't.
 6 Q. Okay.
 7 (Gleeson Exhibit 27, Mr. Agarwal's
 8 e-mail to Jessica Kim from November 7,
 9 2011, 11:45 a.m., marked for
 10 identification.)
 11 BY MR. YI:
 12 Q. I'm showing you what's been marked
 13 as Exhibit 27.
 14 Is this -- directing your attention
 15 to the top of the first page, is that a copy of
 16 Mr. Agarwal's e-mail to Jessica Kim from
 17 November 7, 2011, 11:45 a.m., with a copy to
 18 you and James with a subject "BSA audit
 19 report," with an attachment called "BankAsiana
 20 BSA audit report October 2011"?
 21 A. Yes.
 22 Q. So earlier in Exhibit 18, that
 23 was -- the time frame was February of 2010, WSB
 24 had sent a draft audit report for the Fort Lee
 25 branch operations. This, in November 2011, is

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1 F. Gleeson
 2 Q. Okay. If you -- let me direct your
 3 attention to the second page, bottom half of
 4 the -- what's called the Daily Worksheet,
 5 there's a name, Soyu Architecture, in line 4,
 6 next to the column for balance fluctuation; do
 7 you see that?
 8 A. Yes.
 9 Q. By the way, the amounts that are
 10 indicated here, are thousands, right?
 11 A. Right.
 12 Q. Okay. Soyu Architecture, are you
 13 familiar with that company?
 14 A. Yeah, I believe they did some
 15 architecture work for the bank.
 16 Q. And do you remember the principal or
 17 owner of Soyu Architecture?
 18 A. I think it was Sam Kim, I think. I
 19 think it was Sam.
 20 Q. And is it your testimony that Soyu
 21 Architecture was one of the vendors of
 22 BankAsiana?
 23 A. Yes.
 24 Q. They provided architectural
 25 services?

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1 F. Gleeson
 2 a BSA audit report?
 3 A. Yes.
 4 Q. Okay. And is the BSA audit report
 5 for the entire bank?
 6 A. Yes.
 7 Q. Let's just go to the recommendations
 8 which appear on page 4 of 5.
 9 So this also has appendix A, which
 10 is a summary of what they did, and then
 11 appendix B, which is a summary of their
 12 observations and recommendations.
 13 A. Right.
 14 Q. If you could just quickly go through
 15 these recommendations.
 16 Again, this appears to be a draft
 17 that does not have the management's response.
 18 A. Mh-hm.
 19 (Witness complies.)
 20 BY MR. YI:
 21 Q. And just to save time a little bit,
 22 I'm just going to ask you to read the
 23 recommendation starting on page 3 of 5. It's
 24 the first page of appendix B.
 25 A. Okay.

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1 F. Gleeson
2 Q. And they are two recommendations it
3 appears, A and B?
4 A. Mh-hm.
5 (Witness complies.)
6 Q. And to your knowledge or
7 recollection, did the bank's management accept
8 and follow that recommendation?
9 A. This is tough for me because I was
10 not involved in BSA so much.
11 Q. Whatever you remember.
12 A. Yeah.
13 Q. Do you recall whether the bank's
14 management accepted and followed this
15 recommendation, 1A and B?
16 A. Honestly, I don't recall.
17 Q. Okay. Let's go to Section 2
18 concerning wire transfers.
19 (Witness complies.)
20 A. Okay. I don't -- I don't know.
21 Q. Okay. Let's go to Section 3.
22 (Witness complies.)
23 Q. There are four separate
24 recommendations it appears -- A, B, C, D -- for
25 Section 3 concerning remote deposit capturing.

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1 F. Gleeson
2 A. Yes.
3 Q. Was he chair of the audit committee?
4 A. I think at one time he was, yes. So
5 at this time he likely was.
6 Q. Let me read this e-mail to you. You
7 told him in this e-mail, "Warren, attached is
8 the draft BSA report as we discussed."
9 Is that the draft BSA report from
10 WSB that we just reviewed in Exhibit 27 -- no,
11 it's not, it's from 2013.
12 A. Yeah.
13 Q. But it would have been a draft BSA
14 audit report that WSB would have prepared for
15 the bank?
16 A. Yes.
17 Q. "I spoke with James after you and I
18 talk and he clarified with me that prior to
19 2012, a normal level of SAR activity was around
20 12 per year. 2013 is more likely to be around
21 25. So it has doubled in the last year or so.
22 This will continue to grow as we do. Please
23 let me know if you have any more questions. I
24 will forward the ID audit when I receive it.
25 Thank you, Warren, have a good weekend."

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1 F. Gleeson
2 Do you recall whether the management
3 of the bank accepted and followed
4 recommendations?
5 A. I do not.
6 Q. Okay. Go to Section 4, trade
7 finance activities.
8 (Witness complies.)
9 A. I do have some recollection of this
10 and I do believe we did add trade finance to
11 the BSA policy of procedures.
12 Q. Thank you.
13 (Gleeson Exhibit 28, e-mail to
14 Warren Mackey from April 12, 2013,
15 2:51 p.m., marked for identification.)
16 BY MR. YI:
17 Q. I'm showing you Exhibit 28 and let's
18 start on the second page of this exhibit.
19 Is that a copy of your e-mail to
20 Warren Mackey (phonetic) from April 12, 2013,
21 2:51 p.m., subject "BankAsiana BSA audit report
22 March 2013"?
23 A. Yes.
24 Q. And Warren Mackey, at the time, was
25 BankAsiana's member of the board of directors?

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1 F. Gleeson
2 Do you see that?
3 A. Yes.
4 Q. You mentioned earlier, in looking at
5 Exhibit 27, that you weren't really involved
6 with BSA audits?
7 A. I said I wasn't involved with BSA,
8 but I was certainly in any audits that took
9 place.
10 Q. Okay. I'm sorry.
11 A. Right.
12 Q. I may have misunderstood your
13 statement.
14 This e-mail suggests that you may
15 have been the bank officer responsible for
16 submitting BSA audit reports from WSB to the
17 audit committee of the board?
18 A. Yeah, the draft reports would come
19 to me of any audit.
20 Q. And then you would review the draft
21 report and then submit it to the chair of the
22 audit committee?
23 A. Correct.
24 Q. Let's go to the next e-mail, which
25 appears on the bottom of the first page.

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1 F. Gleeson
 2 Is that -- I don't know if you were
 3 copied on this. Let's see -- well...
 4 A. It doesn't look like it.
 5 Q. Do you -- do you remember after you
 6 submitted the draft BSA audit report to Warren
 7 Mackey, do you remember discussing with him
 8 about a BSA problem?
 9 A. No, I don't. I mean, the issue that
 10 was raised in the memorandum on page 2 here is
 11 that the SAR activity had doubled.
 12 Q. Okay.
 13 A. So whether that was interpreted by
 14 him as a BSA problem, I don't know. I don't
 15 recall a particular BSA problem. I'm trying to
 16 remember when we acquired -- we opened a third
 17 branch in Flushing in 2000- -- maybe '12. I'm
 18 not sure. So there was volume, you know, so...
 19 Q. Do you recall having either an
 20 in-person meeting or telephone call with
 21 Warren Mackey about a BSA problem in March or
 22 April of 2013? It would have been of
 23 April 2013.
 24 A. Yeah -- honestly, I don't recall
 25 offhand. Do we have that audit report?

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1 F. Gleeson
 2 9:51 a.m.
 3 A. It -- yes, it appears to be that.
 4 Q. And I don't see any message in that
 5 e-mail. Do you recall why he sent that e-mail
 6 to you with the rest of the e-mail thread?
 7 A. I'm thinking because I wasn't copied
 8 on this.
 9 Q. He wanted you to know?
 10 A. Yeah.
 11 Q. And does that refresh your
 12 recollection --
 13 MR. DZARA: Objection.
 14 BY MR. YI:
 15 Q. Other than the fact that the SAR
 16 filings had increased, do you remember any
 17 other aspect of the BSA problem that Mr. Mackey
 18 was referring to?
 19 MR. DZARA: Objection to form.
 20 A. No, I'm not aware of what.
 21 Q. Okay.
 22 A. I don't recall what the problem was
 23 that he's referring to.
 24 (Gleeson Exhibit 29, James's e-mail
 25 to Mr. Gleeson from May 28, 2013,

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1 F. Gleeson
 2 Q. Well, I guess we will have to see.
 3 Looking at the earlier e-mail, you
 4 were talking about the fact that the level of
 5 SAR activity and were you referring to the fact
 6 that -- were you referring to the number of SAR
 7 filings?
 8 A. Yes.
 9 Q. So the number of filings had
 10 increased, that's what you were telling him in
 11 that e-mail?
 12 A. Right.
 13 Q. Okay.
 14 A. And that they -- just from reading
 15 this, it sounds like that issue was raised in
 16 the audit. So maybe he interpreted that as a
 17 problem, I don't know.
 18 MR. DZARA: We don't want to you
 19 guess. Only if you have direct knowledge.
 20 A. Yeah, I really don't know.
 21 Q. Okay. And then if you look at the
 22 top of the first page of this exhibit, James
 23 then -- looks like he's sending this e-mail
 24 thread to your attention and is that a copy of
 25 James's e-mail to you from April 15, 2013,

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1 F. Gleeson
 2 11:11 a.m., with the subject "BSA audit
 3 report," marked for identification.)
 4 BY MR. YI:
 5 Q. I'm showing you what's been marked
 6 as Exhibit 29.
 7 Let's just start at the top. Is
 8 that a copy of James's e-mail to you from
 9 May 28, 2013, 11:11 a.m., with the subject "BSA
 10 audit report," with the attachment "BankAsiana
 11 BSA audit report March 2013, 5/2/13"?
 12 A. Yes.
 13 Q. Okay. And do you recall why James
 14 sent you that e-mail with that attachment and
 15 that subject?
 16 A. I don't recall, but I'm assuming
 17 that the original report was not sent to my
 18 attention so he was just forwarding me a copy
 19 of it.
 20 Q. Okay.
 21 A. I don't know for sure.
 22 Q. Now, if you follow this e-mail
 23 thread onto the second page, there's an e-mail
 24 from Maureen Hemhauser. It appears that she,
 25 at the time, was compliance manager, research

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1 F. Gleeson
 2 and development at FIS; do you see that?
 3 A. Yes.
 4 Q. Is that the same person who was
 5 previously at ICS Compliance?
 6 A. Yeah. FIS acquired ICS, the
 7 company.
 8 Q. Okay. So is it fair to say after
 9 FIS acquired Integrated Compliance Solutions,
 10 that FIS, and in particular Maureen Hemhauser,
 11 was essentially doing the same function for
 12 BankAsiana that she had previously at ICS?
 13 A. Yes.
 14 Q. In connection with compliance audits
 15 for the bank?
 16 A. Yes.
 17 Q. So she sends an e-mail to Vivek and
 18 she seems to indicate that she's asking for
 19 Vivek to provide to her his report so that she
 20 could then issue her management responses.
 21 So when WSB issued their BSA audit
 22 report, was the management responses prepared
 23 by Maureen Hemhauser at FIS and previously at
 24 ICS Compliance?
 25 A. Previously, I don't believe so. But

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1 F. Gleeson
 2 I think at this point in time, this is shortly
 3 before the bank was sold to Wilshire Bank.
 4 Q. Okay.
 5 A. So I think Maureen Hemhauser had
 6 been -- or I should say FIS, Maureen Hemhauser
 7 was the person -- had been retained to assist
 8 with some of the BSA compliance matters at the
 9 bank.
 10 So I think she was involved in the
 11 audit report and helping to draft responses to
 12 the audit report.
 13 Q. Okay.
 14 A. For the bank.
 15 Q. So before May 2013 when Maureen got
 16 involved with drafting or preparing the
 17 management responses to the BSA audit report
 18 prepared by WSB, who at the bank was
 19 responsible for either drafting or preparing
 20 the management's responses?
 21 A. James.
 22 Q. James?
 23 A. Yeah. I may have assisted. Jessica
 24 certainly may have assisted.
 25 Q. But James was primarily responsible?

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1 F. Gleeson
 2 A. Yeah.
 3 Q. And is it fair to say that sometime
 4 in May 2013 that responsibility had been --
 5 James had given that responsibility over to
 6 Maureen?
 7 A. Yeah, he had retained -- the bank
 8 had retained, I guess at James's request, ICS
 9 or FIS to assist with the process, yeah.
 10 Q. What is your recollection about
 11 that? Why did the bank or James make that
 12 decision to shift the responsibility from him,
 13 his primary responsibility, to Maureen
 14 Hemhauser at FIS?
 15 A. I seem to recall that Jessica Kim,
 16 who was the BSA -- assistant BSA officer, had
 17 left the bank. So James was -- needed some
 18 assistance in maybe providing prepared
 19 responses to BSA.
 20 Q. So I'd like to just quickly go
 21 through just the recommendations. If you would
 22 just turn to appendix B again, summary of
 23 observations and recommendations.
 24 And just to save time again, I would
 25 just ask you to turn to page 3 of 8 which

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1 F. Gleeson
 2 starts Section 1 and then it appears that there
 3 are three separate recommendations or a
 4 three-part recommendation: A, B, C.
 5 (Witness complies.)
 6 A. Again, I wasn't involved in the BSA
 7 process as far as what was done to answer these
 8 recommendations.
 9 Q. Okay. I'll just go through them and
 10 ask you if you remember anything --
 11 A. Right.
 12 Q. -- about these recommendations.
 13 Do you recall anything about the
 14 recommendation under Section 1?
 15 A. No.
 16 Q. Section 2? Again, it also has the
 17 three-part recommendation: A, B, C, and it's
 18 on page 4 of 8.
 19 A. The one that starts with "check
 20 system reports"?
 21 Q. Yes.
 22 A. I don't know. I don't know what
 23 these things were. As I said before, it's very
 24 difficult without management's response to know
 25 what was done. So I'm not being --

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1 F. Gleeson
 2 Q. I understand and I apologize for not
 3 having a draft that has the response. I can
 4 only give you what I have.
 5 A. No, I understand.
 6 Q. Let me ask you this way: With
 7 respect to the recommendation for both
 8 Section 1 and 2, what is your best
 9 recollection, did the bank's management accept
 10 and follow the recommendations?
 11 MR. DZARA: Objection to form. He
 12 already answered the question.
 13 BY MR. YI:
 14 Q. If you recall.
 15 A. I really don't recall.
 16 Q. Okay. Let's go to Section 3.
 17 A. I don't know. I don't know if that
 18 was followed.
 19 Q. You don't recall?
 20 A. No.
 21 Q. Let's go to Section 4, Customer Due
 22 Diligence.
 23 A. I don't -- I don't know if that was
 24 done.
 25 Q. Okay. Do you see under Section 4,

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1 F. Gleeson
 2 Customer Due Diligence, 4B, do you see where it
 3 says, "It was noted that the listing of
 4 high-risk customers from Jack Henry 2020 was
 5 not maintained during the audit period."
 6 Do you see that?
 7 A. I do see that.
 8 Q. Jack Henry 2020, was that the
 9 computer software system used by BankAsiana?
 10 A. Yes.
 11 Q. And was that system used by
 12 BankAsiana, at the time, for customer accounts?
 13 A. Yes.
 14 Q. And did that include certificate of
 15 deposit customers?
 16 A. Yes.
 17 Q. Do you remember anything about this
 18 statement, "It was noted that the listing of
 19 high-risk customers from Jack Henry 2020 was
 20 not maintained during the audit period"?
 21 A. No, I don't know.
 22 Q. What does that mean?
 23 A. In BSA, you have to maintain a list
 24 of high-risk customers. So certain types of
 25 customers are concerned high risk. And that's

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1 F. Gleeson
 2 somewhat dictated by the BSA rules. For
 3 instance, a perfect example is a money service
 4 business. It's a high-risk customer regardless
 5 of what they are. So that's just one example,
 6 but -- oddly enough, lawyers are considered
 7 high-risk customers. You know there's a lot of
 8 different types of high-risk customers.
 9 Q. I don't know why you find that odd.
 10 A. So any way what I'm saying is that
 11 the system didn't maintain a list of high-risk
 12 customers.
 13 Q. What about a hard money lender?
 14 A. Yeah, that would be in high risk,
 15 sure. Payday lenders.
 16 Q. Who would have been responsible for
 17 maintaining a list of high-risk customers from
 18 Jack Henry 2020?
 19 A. The BSA officer.
 20 Q. That would have been James?
 21 A. Yeah.
 22 Q. Okay. And then below that are the,
 23 again, three-part recommendation, A, B, C. You
 24 don't remember whether the bank management
 25 accepted and followed those recommendations?

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1 F. Gleeson
 2 A. I don't. Sorry, but I don't.
 3 Q. Okay. Section 5, suspicious
 4 activity report.
 5 A. I don't know. I wasn't involved in
 6 SAR filings at all.
 7 Q. Okay. Is it fair to say that this
 8 BSA audit by WSB indicated some inaccuracies in
 9 the filing of SARs by the bank?
 10 A. Yeah, two out of five looked at,
 11 yes. So, yeah, sure.
 12 Q. And then there are recommendations,
 13 a two-part recommendation, A, B; do you see
 14 that?
 15 A. Yes.
 16 Q. And do you remember whether the
 17 bank's accepted and followed that
 18 recommendation?
 19 A. I don't remember.
 20 Q. Okay.
 21 A. SARs are a very secretive process
 22 within the bank. Nobody knows who files -- who
 23 we filed SARs on other than the BSA officer.
 24 Even the board of directors doesn't know.
 25 Q. Okay.

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1 F. Gleeson

2 A. So I don't know.

3 Q. Let's go to six. Six doesn't have
4 a -- doesn't appear to have a section heading.

5 But it -- let me just read it to you
6 just to expedite.

7 "It was noted during our analysis of
8 customer cash transactions that there was an
9 uptick in customer cash transaction activity
10 during the audit period, which was
11 January 1, 2012, to January 31, 2013, as
12 compared to prior years. We analyzed the cash
13 transaction activity for suspicious activity
14 and selected 25 sample customer accounts based
15 on the following criteria."

16 And then it says, "We inquired with
17 management the rationale for not filing a SAR
18 during the audit period. Management concluded
19 the following."

20 Do you see that?

21 A. Yes.

22 Q. Do you remember anything about that?

23 A. I do remember the increase in cash
24 transaction activity and this timeframe
25 included the timeframe when we acquired

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1 F. Gleeson

2 Flushing branch, which was a very different
3 market than Fort Lee or Palisades Park. So
4 we -- what we did see from that was that the
5 cash -- number of cash transactions coming out
6 of the Flushing branch were much higher than
7 they had previously been anywhere else. And
8 that's what this was, you know, telling us.
9 And there was a lot more high-risk customers
10 coming out of that branch and that's, I think,
11 where most of this was emanating from.

12 Q. Let's go to recommendation section.
13 This has a four-part recommendation -- A, B, C,
14 D -- and, again, just to expedite, let me read
15 it to you and ask you.

16 "The process of monitoring for
17 suspicious activity and the subsequent filing
18 of SARs needs to be strengthened. Based on the
19 above findings, it appears that the monthly
20 activity review, as documented in the monthly
21 SAR binder and the quarter EDD review, are not
22 sufficient to make a determination on
23 suspicious activity. Management should analyze
24 at least six months to a whole year worth of
25 data to be able to make a determination if a

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1 F. Gleeson

2 suspicious activity exists, such as CTR
3 structuring" -- CTR, by the way, stands for
4 cash transaction?

5 A. Currency transaction report.

6 Q. Currency transaction report.
7 "Structuring or excessive cash
8 non-commensurate to business profile."

9 Do you see that?

10 A. Yes.

11 Q. Okay. Then B is "SARs for the
12 identified nine customers should be filed
13 immediately."

14 Do you see that?

15 A. Yes.

16 Q. Okay. C, "Rationale for not filing
17 a SAR should be clearly documented. The bank
18 should consider using the EDD forms to document
19 its rational."

20 What is -- what are the EDD reviews?

21 A. The EDD is an enhanced due
22 diligence. So on high-risk customers, when you
23 identify somebody as a high-risk customer, you
24 have to increase the amount of diligence you do
25 on that account monitoring.

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1 F. Gleeson

2 Q. So CTR structuring refers to a
3 situation where you have to report any cash
4 transaction that's 10,000 or more, right?

5 A. More than 10,000.

6 Q. So I would take out, let's say as a
7 customer, instead of taking out \$10,000 or
8 more, I take out 5,000; 2,000; 3,000.

9 That's what we are talking about,
10 right?

11 A. Yeah, structuring. When you just
12 come short of the \$10,000 mark. You do it in
13 multiple transactions, yeah.

14 Q. Multiple cash transactions that are
15 less than \$10,000, but that look suspicious
16 because it looks like you are trying to get
17 around that \$10,000 threshold?

18 A. Right, right.

19 Q. D is "SARs should be filed for
20 suspicious activity, irrespective of whether
21 CTRs are being filed or not."

22 Do you see that?

23 A. Mh-hm.

24 Q. With respect to all four of those
25 recommendations or that four-part

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1 F. Gleeson
 2 recommendation, do you recall whether the
 3 bank's management accepted and followed those
 4 recommendations?
 5 A. I do not. As I mentioned, SARs are
 6 a very secretive process in the bank. So I
 7 would have no way of knowing.
 8 Q. Right. And the right person for me
 9 to ask would be James?
 10 A. Yes.
 11 Q. Section 7, access to wire transfer
 12 system. Anything you recall there?
 13 A. Okay. Let's see. No, I suppose I
 14 should recall because my name is listed, but I
 15 don't have an immediate recollection as far as
 16 what we did. But I would think that what we
 17 would have done is added somebody else to the
 18 list so we had backup in the event somebody
 19 wasn't available for wire transfer.
 20 Q. Okay. Section eight, monetary
 21 instrument sales. Anything you remember?
 22 A. No, I don't. I mean, I know what
 23 they are talking about, but I don't recall that
 24 instance and what was done.
 25 Q. Okay. So for both Sections 7 and 8,

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1 F. Gleeson
 2 do you recall whether the bank's management
 3 accepted and followed the recommendations?
 4 MR. DZARA: Objection to form.
 5 Asked and answered.
 6 A. Seven, I would say yes. Eight, I'm
 7 not -- I don't know.
 8 Q. Okay. I have two more and I'll try
 9 to go quickly.
 10 (Gleeson Exhibit 30, copy of
 11 BankAsiana's BSA/AML report March 11, 2010,
 12 marked for identification.)
 13 (Discussion held off the record.)
 14 BY MR. YI:
 15 Q. I'm showing you Exhibit 30 to your
 16 deposition and I'm going to ask you to also
 17 refer, at the same time, to the attachment to
 18 exhibit -- previous exhibit, 19. And I would
 19 like you to take a look at both of those
 20 documents.
 21 (Witness complies.)
 22 Q. So it appears that Exhibit 30 is a
 23 copy of BankAsiana's BSA/AML report
 24 March 11, 2010.
 25 We had previously looked at

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1 F. Gleeson
 2 Exhibit 19, the attachment to the e-mail was
 3 "BSA/AML report dated May 13, 2010."
 4 My question to you is: Looking at
 5 this now, can you tell us why there was a
 6 BSA/AML report from March 11, 2010, and then
 7 another one May 13, 2010?
 8 Let me ask you this way: Was there
 9 a quarterly report, BSA/AML report, or was
 10 there a monthly report?
 11 A. I believe it was a monthly report
 12 that went to the board.
 13 Q. Okay.
 14 A. And that's what I believe this is.
 15 Q. When you say "the board," would it
 16 have gone to the entire board or the audit
 17 committee only?
 18 A. The entire board.
 19 Q. The entire board, okay.
 20 And I apologize if we covered this
 21 previously, if you look at Exhibit 19, the
 22 BSA/AML report dated May 13, 2010, came from
 23 Jessica Kim and she sent it to James.
 24 A. Okay.
 25 Q. Do you recall whether, as of

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1 F. Gleeson
 2 May 2010, it was Jessica Kim who was primarily
 3 responsible for preparing BSA/AML reports?
 4 A. Yeah, I believe Jessica prepared the
 5 reports, submitted it to James, he, you know,
 6 reviewed it, made changes or whatever he needed
 7 to do, and then he then presented it to the
 8 board.
 9 Q. Okay. So Jessica assisted him in
 10 preparation for the report, but the person
 11 primarily responsible for submitting the report
 12 to the board was James?
 13 A. Correct.
 14 Q. Did you have any involvement in the
 15 preparation of the BSA report or the submission
 16 to the board?
 17 A. Generally not. In this case, it
 18 looks like some of the audit's comments were
 19 included. And there was that one audit comment
 20 that I did submit, the recommended response.
 21 Q. Okay. Are you referring to
 22 Exhibit 30 or Exhibit 19?
 23 A. Well, if you recall, in Exhibit 19,
 24 the -- all the bullets in here with management
 25 responses matched up to the bullets in the

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1 F. Gleeson
 2 WSB...
 3 Q. Audit report?
 4 A. Audit report. So there's clearly
 5 some overlap here between the audit report and
 6 the BSA/AML report and there was one exhibit
 7 where I provided, recommended or suggested a
 8 response. So I had -- to answer your question,
 9 I think I had some involvement, but I didn't
 10 prepare the BSA/AML report for the board.
 11 Does that make any sense?
 12 Q. Yes, thank you.
 13 (Gleeson Exhibit 31, internal audit
 14 report submitted by WSB to Warren Mackey,
 15 marked for identification.)
 16 BY MR. YI:
 17 Q. I'm showing you what's been marked
 18 as Exhibit 31.
 19 Do you recognize this document?
 20 A. Yes.
 21 Q. Is this a copy of -- well, let me be
 22 accurate about it.
 23 Is this a copy of an internal audit
 24 report submitted by WSB to Warren Mackey, who
 25 was then BankAsiana's audit committee chair?

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1 F. Gleeson
 2 A. Yes.
 3 Q. Dated June 12, 2012?
 4 A. Yes.
 5 Q. And the audit period was as of
 6 February 29, 2012?
 7 A. Yes.
 8 Q. Okay. And you recall getting a copy
 9 of this in or about June 2012?
 10 A. Yes.
 11 Q. Okay. Let me turn to appendix B in
 12 particular -- all right, let me first go to
 13 page 4 of 7, middle of the page, 4 of 7.
 14 Again, appendix B has a summary of
 15 the observations and recommendations and it
 16 lists the observations and recommendations and
 17 I'm referring to the third section.
 18 And it says, "Page 1 of 4 of
 19 operations procedures lists the cash limits
 20 established for each branch. The cash limit
 21 for the Palisades Park branch is a monthly
 22 average balance of 350,000, while that at the
 23 Fort Lee branch is 250,000."
 24 Do you see that?
 25 A. Yes.

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1 F. Gleeson
 2 Q. So does this refresh your
 3 recollection? I think we talked about earlier
 4 how your recollection was that, at some point,
 5 the cash, the cash limit, had been increased
 6 from 150,000 to a higher amount you didn't
 7 recall. And this document indicates it was --
 8 as of this report, it was 250,000.
 9 A. Okay.
 10 Q. Is that consistent with your
 11 recollection?
 12 A. Yeah; like I said earlier, I seemed
 13 to recall it was increased, but I didn't know
 14 to what.
 15 Q. Okay. And then it also looks like
 16 BankAsiana changed from a daily cash limit to
 17 an average balance?
 18 A. Right.
 19 Q. Do you know what I mean by that?
 20 A. Yeah, I do.
 21 Q. Okay. Let's go back to 1 on page 3
 22 of 7.
 23 Do you see the recommendations under
 24 one?
 25 A. Mh-hm.

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1 F. Gleeson
 2 Q. It's a two-part recommendation, A
 3 and B.
 4 (Document review.)
 5 Q. Is there anything that you remember
 6 about that?
 7 (Witness complies.)
 8 A. Yeah, I recall the overage shortage
 9 report coming to myself and to Jessica Kim; I
 10 do recall that. And we expanded the report to
 11 give us a little bit more information. Prior
 12 to that, there really wasn't -- we weren't
 13 tracking overage and shortages by individuals.
 14 It was just tracked by the branch as a whole.
 15 So we were breaking it down now by individual
 16 teller. So I recall that.
 17 Q. Do you remember when we were talking
 18 about the Fort Lee branch and access to the
 19 cash vault and you mentioned there were two
 20 combinations?
 21 A. Yeah.
 22 Q. And the bank was to ensure that the
 23 combinations would have to be changed from time
 24 to time?
 25 A. Yup.

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1 F. Gleeson
 2 Q. And also two individuals had to have
 3 part combinations?
 4 A. Yup.
 5 Q. It was two combinations, one officer
 6 should have had one and the second officer
 7 should have a second so that no one person
 8 could have access to the cash vault, right?
 9 A. Correct.
 10 Q. This Section 1 here seems to talk
 11 about supervision of cash shipments out of the
 12 bank?
 13 A. Right.
 14 Q. Out of the branch, I should say?
 15 A. Yes.
 16 Q. And WSB, looks like during their
 17 audit, discovered that there was no
 18 supervisory, there was no supervision of the
 19 two tellers.
 20 Is that a reference to Fort Lee
 21 branch?
 22 A. Yeah.
 23 Q. Because I see at the top it says
 24 Fort Lee branch.
 25 A. Right, it's Fort Lee.

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1 F. Gleeson
 2 of June 2012, WSB, during their internal audit,
 3 discovered that there was no supervisory-level
 4 employee, not from the teller department, that
 5 was performing a spot check of the cash before
 6 it was being shipped out of the branch?
 7 A. That's what it's saying, yeah, is
 8 that there was no -- it was just the two
 9 tellers who were shipping the cash.
 10 Q. Okay. And to your knowledge, and to
 11 your recollection, did the bank's management,
 12 including James as the COO of the bank, accept
 13 and follow this particular recommendation?
 14 A. Well, it says in the management
 15 response, "Consideration is being given to
 16 adding additional staff to allow for the spot
 17 checking of cash."
 18 So at that point in time, there was
 19 only the two tellers and the branch manager.
 20 And if the two tellers were there and the
 21 branch manager wasn't, and the cash had to be
 22 shipped out, then they were the only two people
 23 that could do it. So, at the very least,
 24 there's dual control, but, you know, if we
 25 should have a -- you should have a supervisory

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1 F. Gleeson
 2 Q. So it was specific to Fort Lee
 3 branch, there were two tellers, Karen Chon and
 4 one other teller, and there was no supervision
 5 over the cash shipments out of the branch?
 6 A. Is that what it's saying?
 7 Q. That's what I'm asking you.
 8 (Witness complies.)
 9 A. Well, what it's saying is that two
 10 people should check the cash before it's
 11 shipped out. So I believe what was happening
 12 here -- well, I'm trying to remember.
 13 Q. If I may, let me ask it this way.
 14 A. Yeah.
 15 Q. Recommendation 1A says, "Although
 16 two tellers are involved while making cash
 17 shipments from the Fort Lee branch, it is
 18 recommended that a supervisor-level employee,
 19 not from the teller department" --
 20 A. Right.
 21 Q. -- "should perform a spot check of
 22 the cash before it is being shipped."
 23 A. Right. That would be the -- in that
 24 particular instance, the branch manager.
 25 Q. Right. So is it fair to say that as

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1 F. Gleeson
 2 person looking at that, but the staffing of the
 3 branch didn't allow for that. There was only
 4 three people in the office and one of them was
 5 the manager, who may or may not have been
 6 there. So at that point in time, I believe it
 7 was TK Suh. So was he there, I don't know.
 8 Q. Okay. When you -- during your
 9 tenure at the bank, did you communicate on a
 10 regular basis with James?
 11 A. Yes.
 12 Q. And how did you communicate with
 13 him?
 14 A. How? What do you mean?
 15 Q. By telephone, by e-mail?
 16 A. All the above, you know.
 17 Q. Okay. So by telephone, did you have
 18 a work phone in your office?
 19 A. Yeah.
 20 Q. And did James have one?
 21 A. Yes.
 22 Q. And did you -- when you were both at
 23 work and you had to speak with each other by
 24 telephone, did you call each other on the
 25 office telephone?

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1 F. Gleeson
 2 A. Yeah, but generally -- our offices
 3 were right next to each other so we'd --
 4 generally, we'd get up and walk into the
 5 other's office and speak face to face. But
 6 yeah, there was times when we would talk on the
 7 phone, sure.
 8 Q. Did you also communicate by e-mail
 9 on a regular basis?
 10 A. Yeah.
 11 Q. Even when you were in the office?
 12 A. Sure.
 13 Q. What about text?
 14 A. Text? No.
 15 Q. Okay. Did the bank have any kind of
 16 internal electronic communication, like an
 17 instant messaging type?
 18 A. No, we had just e-mail.
 19 Q. Did you ever communicate with James
 20 cellphone to cellphone?
 21 A. Yes.
 22 Q. And on what occasions? When you
 23 were both out of the office?
 24 A. Yeah, I would say so, yeah. Or if
 25 one of us was out of the office and one was in

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1 F. Gleeson
 2 the office, it might be cellphone to office
 3 phone.
 4 Q. Did the bank provide a cellphone in
 5 addition to an office-type, like a landline
 6 telephone?
 7 A. The bank didn't provide a phone, the
 8 bank reimbursed a portion of the cost of a
 9 phone.
 10 Q. You mentioned that you had been
 11 communicating with James from time to time and
 12 talking to him from time to time. And those
 13 communications, is it by telephone?
 14 MR. DZARA: Objection. When?
 15 MR. YI: I'm sorry?
 16 MR. DZARA: When? You didn't give a
 17 timeframe.
 18 BY MR. YI:
 19 Q. After you left BankAsiana, you
 20 testified, I believe at the outset of this
 21 deposition, that you have communicated with him
 22 from time to time. You also mentioned the last
 23 time you saw him was that you had lunch with
 24 him, I believe it was, approximately six months
 25 ago, I think you said?

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1 F. Gleeson
 2 A. Yeah.
 3 Q. So on those occasions when you had
 4 these occasional, from time-to-time
 5 communications, was it by telephone?
 6 A. It could have been, yeah.
 7 Q. Was it also by e-mail?
 8 A. May have been, yeah. We may have
 9 e-mailed here and there.
 10 Q. Any other way? No texting?
 11 A. No, he's not a texter.
 12 Q. And you are not a texter either?
 13 A. Well, I am, but he's not so...
 14 Q. Okay. And I'm sorry if I covered
 15 this, but I want to get it right before we
 16 finish up here today.
 17 A. Okay.
 18 Q. Did you make any loan, personal
 19 loans, to James?
 20 A. No.
 21 Q. At any time?
 22 A. No.
 23 Q. Did James ever make any personal
 24 loans to you at any time?
 25 A. No.

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1 F. Gleeson
 2 Q. We talked about Soyu Architecture
 3 earlier, which provided architectural services
 4 to BankAsiana, do you know whether James ever
 5 received a loan from Soyu Architecture?
 6 A. No, I don't, no.
 7 Q. Do you know who Michael Kim was?
 8 A. Yes.
 9 Q. Okay. Tell me how you knew him.
 10 A. He was a customer of the bank. I
 11 believe he was a shareholder. He was in the
 12 bank fairly frequently.
 13 Q. When you say "shareholder," what do
 14 you mean? Shareholder of what?
 15 A. Stockholder of the bank.
 16 Q. Of BankAsiana?
 17 A. Yeah, I believe that he was.
 18 Q. Okay. And does the -- do you know a
 19 company or a -- company called KORE consulting,
 20 K-o-r-e?
 21 A. Yeah, I believe that's his company.
 22 Q. Was Michael Kim the principal of
 23 that company?
 24 A. I believe so, yes.
 25 Q. What about Kore LLC, K-o-r-e?

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1 F. Gleeson
2 A. Was it the same company or no? What
3 was the other one, didn't you say Kore?
4 Q. Kore Consulting?
5 A. Oh. I just remember we called it
6 Kore. So I don't recall consulting or the
7 other.
8 Q. Do you remember what type of
9 business Kore or Kore Consulting was?
10 A. No, I don't.
11 Q. Do you remember what type of
12 business Michael Kim was engaged in?
13 A. I don't remember, no.
14 Q. Was he a hard money lender?
15 A. I don't know. I don't know.
16 Q. To your knowledge, did Michael Kim
17 or any of his companies or any of the companies
18 in which he was either the principal or
19 shareholder or an officer, make any loans to
20 James?
21 A. James told me that he did borrow
22 money from Michael Kim.
23 Q. Did he ever tell you when he did?
24 A. I don't recall.
25 Q. During the time you were employed by

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1 F. Gleeson
2 the bank?
3 A. Yeah, yeah, when I was there.
4 Q. Did he tell how much?
5 A. No, I don't remember the amount. He
6 may have told me, but I don't recall the
7 amount.
8 Q. Is an officer of a bank permitted to
9 receive a loan from -- a personal loan from a
10 customer of a bank -- of the bank?
11 MR. DZARA: Objection to form.
12 A. Permitted by who?
13 Q. Okay. Let me rephrase the question.
14 Is it your understanding that an
15 officer of a bank -- that it's appropriate or
16 proper for an officer of a bank to receive a
17 personal loan from a customer of that bank?
18 MR. DZARA: Objection to form.
19 A. My understanding is under full
20 disclosure, it could occur. I don't believe
21 there's anything wrong with it under full
22 disclosure.
23 Q. Are you aware of any bank
24 regulations, banking laws or regulations that
25 would prohibit an officer of a bank, a

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1 F. Gleeson
2 regulated bank, to obtain a personal loan from
3 a customer of the bank at which that officer is
4 employed?
5 MR. DZARA: Objection to form.
6 A. I'm not aware of any regulation.
7 Q. Okay. Did BankAsiana have any
8 policies and procedures that prohibited
9 employees or officers of the bank from
10 obtaining loans from the bank's customers?
11 A. Again, full disclosure. If it were
12 to happen, it would have had to have been
13 disclosed in writing or should have been
14 disclosed in writing to the company as part of
15 code of ethics or...
16 Q. And you testified that -- that
17 you -- withdrawn.
18 So James told you that he had
19 received a loan from Michael Kim. To your
20 knowledge, did James make, as you say, full
21 disclosure to either the bank or the board of
22 directors of the bank that he had done so?
23 A. My understanding is that he
24 disclosed it to HS Hur.
25 Q. That's Hong Sik Hur?

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1 F. Gleeson
2 A. Yes.
3 Q. Do you know whether James made that
4 disclosure to the bank's board of directors?
5 A. That I don't know.
6 Q. Did you ever speak with Mr. Hur to
7 determine whether James had, in fact, made that
8 disclosure to Mr. Hur?
9 A. I don't recall whether we ever spoke
10 about it or not.
11 Q. So as you sit here today, your
12 testimony is that James told you that he made
13 full disclosure to Mr. Hur?
14 A. Yes.
15 Q. But you don't know that for a fact?
16 A. No, I wasn't --
17 MR. DZARA: Objection to form.
18 A. Yeah, I wasn't there when it
19 happened.
20 Q. Okay. Did you, yourself, receive or
21 obtain any personal loans from either
22 Michael Kim or any other bank's customers?
23 A. No.
24 Q. Okay. Did you ever observe James
25 ask other employees at the bank for a personal

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1 F. Gleeson
 2 loan?
 3 A. No.
 4 Q. Did James ever tell you that he had
 5 asked other employees for a loan?
 6 A. No.
 7 Q. I'm almost there. I appreciate it.
 8 Did you hear from anybody at the
 9 bank, while you were working there, that
 10 Mr. Hur, the president and CEO of BankAsiana,
 11 had asked Irene Lee to take out an employee
 12 loan and lend the proceeds of that employee
 13 loan to James?
 14 MR. DZARA: Objection to form.
 15 A. No, I don't know that.
 16 Q. We talked about the employee loan
 17 program. Did James ever tell you that he took
 18 out an employee loan?
 19 MR. DZARA: Objection to the form.
 20 Asked and answered.
 21 A. No, I don't recall that.
 22 Q. Okay. And do you remember the
 23 maximum amount or the cap of that employee
 24 loan?
 25 A. No, I really don't. I've never

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1 F. Gleeson
 2 belonging to BankAsiana?
 3 A. No.
 4 Q. During your tenure at the bank, did
 5 Jessica Kim ever tell you anything about
 6 Karen Chon's past employment history?
 7 A. I don't know if it was Jessica Kim.
 8 It could have been, but I believe there was
 9 some -- some issue with her former employer
 10 before she came to BankAsiana. I'm trying to
 11 remember who it was.
 12 Q. Does the name Liberty Bank of New
 13 York ring a bell?
 14 A. Yeah, yeah, that's right because
 15 Jessica worked at Liberty Bank.
 16 Q. Can you tell us what you remember?
 17 A. I think there was some money
 18 missing. That's really all I remember.
 19 Q. Was that information based on what
 20 somebody else told you?
 21 A. Yes.
 22 Q. What -- do you remember who?
 23 A. Most likely Jessica because she had
 24 worked at Liberty Bank.
 25 Q. Just, to the best of your

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1 F. Gleeson
 2 gotten involved with it so.
 3 Q. Does 25,000 ring a bell?
 4 MR. DZARA: Objection to form.
 5 A. No.
 6 Q. During your tenure at the bank, did
 7 anyone at the bank tell you that James was
 8 instructing the bank's employees to honor
 9 non-sufficient funds checks for Michael Kim?
 10 MR. DZARA: Objection to form.
 11 A. No.
 12 Q. Did James tell you that he obtained
 13 a loan from -- other than Michael Kim, did he
 14 tell you that he received any other loans from
 15 any other bank customers?
 16 A. No.
 17 MR. DZARA: Objection to form.
 18 BY MR. YI:
 19 Q. Are you aware of a SBA loan
 20 exceeding -- loan amount exceeding \$1 million
 21 that was made by BankAsiana to an entity called
 22 Cleo Riverside?
 23 A. No.
 24 Q. During your tenure at the bank, did
 25 you ever observe James steal any properties

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1 F. Gleeson
 2 recollection, could you tell us what you
 3 remember her telling you?
 4 MR. DZARA: Objection to form.
 5 Asked and answered.
 6 A. Just that she had -- you know, there
 7 was some money missing at the bank and I don't
 8 know, that's why she didn't work there anymore.
 9 Q. "She" being Karen Chon?
 10 A. Yes.
 11 Q. Do you remember anything else?
 12 MR. DZARA: Objection to form.
 13 A. No, I don't.
 14 Q. Do you remember discussing that with
 15 James?
 16 A. No, I don't remember discussing that
 17 with James.
 18 Q. Do you remember discussing that with
 19 Mr. Hur, the president and CEO on the bank?
 20 MR. YI: Thank you. I have no more
 21 questions at this time.
 22 (Recess is taken.)
 23 EXAMINATION BY
 24 MR. DZARA:
 25 Q. Hi, Mr. Gleeson. My name, again, is

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1 F. Gleeson
 2 David Dzara and I represent James Ryu in this
 3 matter. I have a few questions for you.
 4 You previously testified about
 5 issues raised by Eunmoo Choi concerning F One
 6 Communications. And I believe some of those
 7 issues concerned services or hardware that F
 8 One billed BankAsiana and BankAsiana paid for,
 9 but F One either didn't provide the hardware or
 10 didn't provide the services.
 11 Is that accurate from what you
 12 remember?
 13 A. Yes.
 14 Q. Were you -- who was the one at
 15 BankAsiana that approved payments to F One?
 16 A. Me.
 17 Q. Were you involved in any illegal
 18 practice of approving F One's invoices knowing
 19 that you -- that BankAsiana did not receive the
 20 products and service that F One billed for?
 21 A. No.
 22 Q. Do you know if anybody else at
 23 BankAsiana was involved in some type of illegal
 24 arrangement regarding payments to F One for
 25 services or products not received to

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1 F. Gleeson
 2 BankAsiana?
 3 A. No.
 4 Q. Was James involved in any such
 5 illegal activity?
 6 A. Not that I know of, no.
 7 Q. At her deposition, Lisa Pai -- let
 8 me step back.
 9 Do you know who Lisa Pai is?
 10 A. From Wilshire Bank, I believe she's
 11 general counsel there.
 12 Q. Yes. Correct. She was general
 13 counsel general at Wilshire Bank. She is now
 14 general counsel at Bank of Hope.
 15 A. Oh, okay.
 16 Q. Do you know that Bank of Hope and --
 17 became -- Wilshire Bank merged with the bank
 18 and became Bank of Hope; you're aware of that?
 19 A. Yes.
 20 Q. Okay. At her deposition in this
 21 matter, Lisa Pai testified about your receipt
 22 of the \$5,000 advance in your pay when you
 23 started at BankAsiana.
 24 You testified about that today as
 25 well, correct?

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1 F. Gleeson
 2 A. Yes.
 3 Q. And Ms. Pai testified that James was
 4 the one who told you not to pay it back.
 5 Your testimony today was indeed that
 6 James was the one who told you you didn't have
 7 to pay the \$5,000 advance back, correct?
 8 A. Yes.
 9 Q. Who made the decision that you
 10 didn't have to pay that advance back, do you
 11 know?
 12 A. I was told that it was a joint
 13 decision between James and Mr. Hur.
 14 Q. Okay. So both James and Mr. Hur
 15 made that decision, to your knowledge?
 16 A. Yes.
 17 MR. YI: Objection to form.
 18 BY MR. DZARA:
 19 Q. Who told you that?
 20 A. James.
 21 Q. I believe Ms. Pai also testified
 22 that she interviewed you after -- let me step
 23 back.
 24 The embezzlement that this case
 25 concerns, and Mr. Yi did ask you certain

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1 F. Gleeson
 2 questions repeating some sort of background
 3 about the embezzlement.
 4 What do you know about the
 5 embezzlement that's the core issue of this
 6 case?
 7 A. What do I know?
 8 Q. Mh-hm.
 9 A. Is that Karen Chon had been
 10 siphoning money out of customer's accounts over
 11 a period of time and, I guess, replacing it
 12 when she needed to to cover up what she was
 13 doing. And eventually walked out the door with
 14 1.6 million I had heard. That's really all I
 15 know. Then of course it was -- well, I don't
 16 know how it was all uncovered, but I understand
 17 through an audit that Wilshire conducted
 18 post-acquisition it was brought to light and
 19 investigated and she was ultimately tried and
 20 found guilty of embezzlement.
 21 Q. And all the testimony that you just
 22 gave about the embezzlement, where did you
 23 learn that?
 24 A. Some of it I read in the paper.
 25 Some of it people told me. I worked for Noah

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1 F. Gleeson
 2 Bank for a period of time after I left
 3 BankAsiana, that was a Korean bank, and they
 4 were very in tune with it. I had people
 5 reading to me out of the Korean newspapers what
 6 was in Korean newspapers. And of course, I
 7 couldn't understand. So basically what I heard
 8 from other people and what I read in the paper.
 9 Q. What paper do you remember reading
 10 about the embezzlement in?
 11 A. I think it was the Bergen Record.
 12 Q. Do you know if James was criminally
 13 charged with the embezzlement?
 14 A. I don't know that he was or wasn't,
 15 no.
 16 Q. Do you know that Karen Chon
 17 implicated James in the embezzlement?
 18 A. Yes, actually, James told me that.
 19 Q. Did you learn about that from
 20 anybody else besides James telling you?
 21 A. That may have been -- one of my
 22 coworkers may have said something about that,
 23 yeah.
 24 Q. I believe Lisa Pai testified at her
 25 deposition that she interviewed you after the

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1 F. Gleeson
 2 embezzlement came to light to Wilshire Bank.
 3 Did Lisa Pai interview you?
 4 A. By telephone, yes.
 5 Q. Lisa Pai did call you?
 6 A. Mh-hm.
 7 Q. Do you remember when that was?
 8 A. Well, when did this all come up,
 9 the early part of 2014, I guess.
 10 Q. I think Mr. Yi will stipulate that
 11 it was early 2014 that it came to light.
 12 A. So probably that timeframe, maybe
 13 spring of 2014.
 14 Q. And you said she called you?
 15 A. She called me.
 16 Q. Do you remember what she asked you?
 17 A. She asked me about the advance, the
 18 \$5,000 advance. She asked me about a laptop
 19 computer that I had, that I was told I could
 20 keep when I left BankAsiana. And she asked me
 21 about F One Communications, if I knew about
 22 them. I don't know that we really talked about
 23 any of the embezzlement matter. I don't think
 24 we did.
 25 Q. Did she mention the embezzlement to

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1 F. Gleeson
 2 you?
 3 A. She may have. She may have.
 4 Q. So first thing you mentioned she
 5 said was she talked about the advance. Do you
 6 remember what you told her?
 7 A. That I was given an advance shortly
 8 after I started with BankAsiana before the bank
 9 opened and that I had not paid that back and
 10 when I left the bank in 2013, I was told by
 11 James, as I mentioned earlier, that I did not
 12 have to pay it back.
 13 Q. Did you mention to her that Mr. Hur
 14 was involved in that decision?
 15 A. I don't know that I did. I might
 16 not have known that at that time, that Mr. Hur
 17 was involved in that decision.
 18 Q. But your testimony today is he was
 19 involved?
 20 A. Well, because James told me that,
 21 yes.
 22 Q. You said you also -- Ms. Pai asked
 23 you about a laptop computer you took with you
 24 after you left BankAsiana, correct?
 25 A. Yeah.

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1 F. Gleeson
 2 Q. What does -- tell me about the
 3 laptop. What did you do? What happened with
 4 that?
 5 A. I had a laptop computer that
 6 belonged to the bank and when I left James had
 7 said I was free to take it with me. So I did.
 8 Q. Do you know if James was the sole
 9 decisionmaker in that decision?
 10 A. I don't know.
 11 Q. And what did Ms. Pai ask you about
 12 regarding the laptop?
 13 A. Just that. Who told you you could
 14 take the laptop computer and I told her what I
 15 just told you and then I also told her that she
 16 can have it back if she wants it. I mean, it's
 17 not a big deal.
 18 Q. What was her response?
 19 A. She, you know, kind of shrugged that
 20 off.
 21 Q. Did she ever ask you for it later?
 22 A. No.
 23 Q. And you said the third thing she
 24 raised in the interview was F One
 25 Communication?

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1 F. Gleeson
 2 A. She did.
 3 Q. And do you remember what she asked
 4 you about with F One Communications?
 5 A. She asked a little bit about what
 6 Eunmoo Choi's concerns were and there was some
 7 concern that there had been some services or
 8 hardware that the bank paid for that was never
 9 received or it disappeared and what did I know
 10 about that. And all I really knew about that
 11 was Eunmoo Choi kind of came across that in his
 12 research and brought it to my attention and
 13 that it was being researched at the time when I
 14 left the bank. And that I didn't know anything
 15 further beyond that.
 16 Q. Have you told me everything you
 17 remember about your conversation with Lisa?
 18 A. Yeah, I think so.
 19 Q. Mr. Yi asked you questions about an
 20 SBA loan by Michael Kim or Cleo Riverside for
 21 approximately \$1 million.
 22 Do you remember those questions?
 23 A. I do remember the questions.
 24 MR. YI: In excess of.
 25 BY MR. DZARA:

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1 F. Gleeson
 2 Q. In excess of \$1 million.
 3 I believe your testimony was you
 4 didn't know anything about that, correct?
 5 A. Right.
 6 Q. There has been testimony and I
 7 believe reports generated by Wilshire Bank as
 8 part of the investigation in this case that
 9 state that both you and Karen posted some of
 10 the loan payments for this SBA loan.
 11 Do you remember posting any loan
 12 payments for this SBA loan?
 13 A. No.
 14 Q. Was posting loan payments part of
 15 your job responsibilities?
 16 A. No.
 17 Q. Do you remember ever posting loan
 18 payments on any loan during your time at
 19 BankAsiana?
 20 A. No.
 21 Q. Do you know anything about James
 22 taking his BankAsiana computers with him
 23 following the merger with Wilshire Bank?
 24 A. Yeah, he told me that, that he did.
 25 Q. What did he tell you?

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1 F. Gleeson
 2 A. That he took the computer when he
 3 left.
 4 Q. When did he tell you that?
 5 A. Well, when did he leave there? Do
 6 you know?
 7 Q. Well, he -- the merger -- do you
 8 know when the merger or the acquisition with
 9 Wilshire Bank closed?
 10 A. It was fall of '13, like October.
 11 So he was there for a little while
 12 past that, I guess, right? Or no?
 13 Q. You can't ask me questions.
 14 A. I'm sorry.
 15 Q. I mean, I think Mr. Yi would
 16 stipulate that James was laid off as part of
 17 the acquisition and that his last day was in
 18 early October of 2013.
 19 A. Okay.
 20 MR. DZARA: Mr. Yi, would you agree
 21 with that?
 22 MR. YI: You know, without having
 23 documents in front of me, I mean, I
 24 don't --
 25 MR. DZARA: We've had like 15

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1 F. Gleeson
 2 depositions in this case, his -- it's
 3 not -- the date of his termination came up
 4 in almost every single one. If you're not
 5 going to stipulate, that's fine. But I
 6 will state for the record that his last
 7 day --
 8 MR. YI: You can represent to us.
 9 MR. DZARA: Okay. I believe his
 10 last day was October 23rd or October 24,
 11 2013.
 12 A. Okay.
 13 Q. When did you learn that -- when did
 14 James tell you that he took his BankAsiana
 15 computer?
 16 A. The first time I saw James after I
 17 left the bank was in February of 2014. We had
 18 lunch and that would have been when he had told
 19 me.
 20 Q. Do you remember anything else that
 21 he talked to you about during that lunch in
 22 February 2014?
 23 A. No, it was just a friendly lunch.
 24 It was not...
 25 Q. Do you know if the embezzlement came

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1 F. Gleeson
 2 up?
 3 A. No, it was right after that that I
 4 learned about the embezzlement. Right after
 5 that.
 6 Q. But not from him?
 7 A. Not from him.
 8 Q. Did James say he had permission to
 9 take the computers from BankAsiana?
 10 A. He didn't say.
 11 Q. How did that even come up that he
 12 said he took the computers? It seems like a
 13 weird thing to bring up in a conversation.
 14 A. We might have been talking about me
 15 taking the laptop and he took the computers,
 16 his computer. Or something. I don't know.
 17 Q. Do you know where James worked after
 18 BankAsiana?
 19 A. I know he worked for New Millennium
 20 Bank for a period of time.
 21 Q. What do you know about that?
 22 A. That he was part of the group that
 23 acquired New Millennium Bank from its former
 24 shareholders, I guess. He and HS Hur and that
 25 he was working there for awhile until all --

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1 F. Gleeson
 2 Q. Did you talk to Karen -- have you
 3 ever spoken to Karen after you left BankAsiana?
 4 A. No.
 5 Q. Going back to that interview with
 6 Lisa of you, I think you said possibly spring
 7 of 2014, do you remember how long -- you said
 8 it was by phone, correct?
 9 A. Mh-hm.
 10 Q. Do you know how long the phone
 11 conversation lasted?
 12 A. Maybe 20 minutes.
 13 Q. Do you remember how it ended? Did
 14 she say she'd call you back or...
 15 A. I think something to the effect that
 16 if she had any other questions she would call
 17 me back.
 18 Q. Has anybody from Wilshire Bank or
 19 Bank of Hope ever followed up with you
 20 following Lisa's conversation with you about
 21 your -- anything having to do with the
 22 embezzlement or your time at BankAsiana?
 23 A. No.
 24 Q. Are you aware that Wilshire Bank
 25 froze James's checking account following the

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1 F. Gleeson
 2 all of this happened.
 3 Q. The embezzlement happened?
 4 A. Yes.
 5 Q. And then what?
 6 A. My understanding is that they let
 7 him go and he hasn't worked since.
 8 Q. Karen Chon, did you interact with
 9 her during your time at BankAsiana?
 10 A. A little bit, yeah.
 11 Q. What were your -- what did your
 12 interactions concern, generally?
 13 A. What was my what?
 14 Q. Your interactions with her, what did
 15 they concern?
 16 A. A question about a customer. I
 17 mean, sometimes we would have customers come in
 18 and negotiate rates on CDs. And she might call
 19 me and see if we could negotiate a rate a
 20 little higher. As I mentioned earlier, I
 21 worked there on Saturdays periodically, so she
 22 would be there.
 23 Q. Did you have any type of social
 24 relationship outside of work with Karen?
 25 A. No.

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1 F. Gleeson
 2 embezzlement coming to light?
 3 A. James told me that.
 4 MR. YI: Objection to form.
 5 BY MR. DZARA:
 6 Q. What did James tell you?
 7 A. That he had 50-something thousand
 8 dollars in his account and they froze it.
 9 Q. Remember anything else he talked
 10 about with that issue?
 11 A. That he thought that that was
 12 illegal, shouldn't have been done. There's no
 13 reason to do it is what he said.
 14 Q. Do you know anything about when a
 15 bank has a right to freeze a customer's
 16 account?
 17 A. My understanding is if there's some
 18 sort of court order or a levy, or a regulatory
 19 order. Other than that, I don't think you can
 20 do that, outside of the normal hold policies,
 21 you know.
 22 Q. So I think I mentioned before that
 23 Karen implicated James in her embezzlement. Do
 24 you have any opinion of whether or not you
 25 believe James was involved in Karen's

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1 F. Gleeson
2 embezzlement?
3 MR. YI: Objection.
4 A. Yeah, I have no reason to believe
5 that her implications are true.
6 Q. What's your basis of your opinion?
7 A. I never had any inkling that James
8 was taking any money from the bank.
9 Q. You testified your office was next
10 to James's office, correct?
11 A. Yes.
12 Q. While you were at BankAsiana?
13 A. Mh-hm.
14 Q. During your time at BankAsiana, did
15 you ever see Karen and James interacting
16 together?
17 A. No, never.
18 Q. Did you ever see her hand him any
19 inner-office envelopes?
20 A. No.
21 Q. Do you remember them talking a lot?
22 A. No. I can't say I ever saw them
23 together.
24 MR. DZARA: Okay. I have no further
25 questions.

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1 F. Gleeson
2 MR. YI: Nothing further.
3 (Time Noted: 5:01 p.m.)
4
5
6 -----
7 FRANK GLEESON
8
9 Subscribed and sworn to before me
10 this day of 2018.
11
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1
2 C E R T I F I C A T E
3
4 STATE OF NEW YORK)
5) ss.:
6 COUNTY OF NEW YORK)
7
8 I, LISA M. MURACO, a Notary Public
9 within and for the State of New York, do
10 hereby certify:
11 That FRANK GLEESON, the witness whose
12 deposition is hereinbefore set forth, was
13 duly sworn by me and that such deposition
14 is a true record of the testimony given by
15 such witness.
16 I further certify that I am not
17 related to any of the parties to this
18 action by blood or marriage; and that I am
19 in no way interested in the outcome of this
20 matter.
21 IN WITNESS WHEREOF, I have hereunto
22 set my hand this 3rd day of January,
23 2018.
24 -----
25 LISA M. MURACO

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1
2 I N D E X
3
4 WITNESS PAGE
5 FRANK GLEESON
6 MR. YI 5
7 MR. DZARA 225
8
9 E X H I B I T S
10 DESCRIPTION PAGE
11 Gleeson Exhibit 1, subpoena 6
12 Gleeson Exhibit 2, subpoena to produce 7
13 documents
14 Gleeson Exhibit 3, copy of an e-mail 43
15 from James Ryu to Mr. Gleeson from
16 April 20, 2010, 9:55 a.m.
17
18 Gleeson Exhibit 4, e-mail to James from 48
19 October 3, 2011, 1:03 p.m., subject is
20 "Seleste," attachment is also "Seleste"
21
22 Gleeson Exhibit 5, e-mail to James from 52
23 October 3rd, 2011, 2:45 p.m., with
24 subject "Seleste," and attachment
25 "Seleste"
26
27 Gleeson Exhibit 6, chain of e-mail with 55
28 James's e-mail from October 3rd, 2011,
29 2:52 p.m., subject "Seleste"
30
31 gleeson Exhibit 7, e-mail to James from 58
32 October 5th, 2011, 11:49 a.m., with the
33 subject "Seleste," and attachment
34 "Seleste"
35

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3	Gleeson Exhibit 8, James's e-mail from	60
4	October 14, 2011, 10:50 a.m., with the	
5	subject "Income and expense," and	
6	attachment called "Income and expense"	
7	Gleeson Exhibit 9, e-mail to James from	64
8	November 8, 2011	
9	Gleeson Exhibit 10, e-mail from James	66
10	to Mr. Gleeson from February 15, 2012,	
11	9:22 a.m., with the subject "Schedule	
12	J, current expenditures"	
13	Gleeson Exhibit 11, e-mail from Robert	71
14	Yu to James from February 15, 2012,	
15	p.m., CC'd to Mr. Gleeson with a	
16	subject "Schedule J," and attachment	
17	called "Schedule J revised"	
18	Gleeson Exhibit 12, chain of e-mails	75
19	with an e-mail to James from March 8,	
20	2013, 4:46 p.m., with the subject "BOA"	
21	Gleeson Exhibit 13, string of e-mails	78
22	Gleeson Exhibit 14, multiple e-mails	82
23	Gleeson Exhibit 15, multiple e-mails	91
24	with an e-mail from Eric Kalender to	
25	James from June 3rd, 2010, 9:14 a.m.,	
	subject "Kudo Beans"	
	Gleeson Exhibit 16, multiple e-mails	94
	Gleeson Exhibit 17, e-mail to James	118
	from January 29, 2010, 3:20 p.m., with	
	a subject "NJDOBI examination exit	
	meeting"	

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3	Gleeson Exhibit 28, e-mail to Warren	183
4	Mackey from April 12, 2013, 2:51 p.m.	
5	Gleeson Exhibit 29, James's e-mail to	188
6	Mr. Gleeson from May 28, 2013,	
7	a.m., with the subject "BSA audit	
8	report,"	
9	Gleeson Exhibit 30, copy of	203
10	BankAsiana's BSA/AML report March 11,	
11	2010	
12	Gleeson Exhibit 31, internal audit	206
13	report submitted by WSB to Warren	
14	Mackey	
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2	DESCRIPTION	PAGE
3	Gleeson Exhibit 18, e-mail from Vivek	123
4	Agarwal to Joseph Choi at BankAsiana	
5	and Jessica Kim with CC to Ray Brook,	
6	Frank Gleeson, and James Ryu, with the	
7	subject "Draft branch audit report,	
8	Fort Lee branch"	
9	Gleeson Exhibit 19, e-mail and	147
10	attachment	
11	Gleeson Exhibit 20, e-mail to James and	154
12	Jessica Kim from May 20, 2010,	
13	a.m.	
14	Gleeson Exhibit 21, e-mail from Vivek	160
15	Agarwal of WSB to Mr. Gleeson and James	
16	from August 20, 2010, 3:36 p.m., with	
17	the subject "Audit reports"	
18	Gleeson Exhibit 22, e-mail from Jessica	163
19	Kim to Mr. Gleeson from September 13,	
20	2010, 10:32 a.m.	
21	Gleeson Exhibit 23, multiple e-mails	166
22	Gleeson Exhibit 24, e-mail from Jessica	168
23	Kim to various individuals at	
24	BankAsiana	
25	Gleeson Exhibit 25, e-mail from Jessica	170
	Kim to individuals who were employed at	
	BankAsiana with a CC to Mr. Gleeson and	
	others from June 16, 2011, 11:32 a.m.	
	Gleeson Exhibit 26, Karen Chon's e-mail	174
	to Mr. Gleeson, James Ryu, and others	
	at BankAsiana from September 16, 2001,	
	12:43 p.m.	
	Gleeson Exhibit 27, Mr. Agarwal's	180
	e-mail to Jessica Kim from November 7,	
	2011, 11:45 a.m.	

1

2 ERRATA SHEET FOR THE TRANSCRIPT OF:

3 CASE NAME:

4 DATE:

5 DEPONENT:

6 Pg. Ln. Now Reads Should Read Reason

7

8

9

10

11

12

13

14

15

16

17

18

19 FRANK GLEESON

20 SUBSCRIBED AND SWORN BEFORE ME

21 THIS ____ DAY OF _____ 2018.

22

23

24 (Notary Public)

25 MY COMMISSION EXPIRES: _____